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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 9897

AMENDMENTS TO REGULATIONS RELATING TO COMMISSIONED OFFICERS AND EMPLOYEES OF THE PUBLIC HEALTH SERVICE

By virtue of the authority vested in me by the Public Health Service Act, approved July 1, 1944 (58 Stat. 682) as amended, and as President of the United States, I hereby prescribe the following amendments to the regulations relating to commissioned officers and employees of the Public Health Service prescribed in Part 2 of Executive Order No. 9655 of November 14, 1945:

1. The table of contents is amended by deleting sections 2.81 and 2.144, by adding section 2.73 reading "Appointment to higher grades; candidates exceptionally qualified in specialized fields," and by changing sections 2.51, 2.52, 2.53, 2.54, 2.57, 2.58, and 2.178 to read as follows:

2.51 Professional examinations, holding of; subjects to be included.

2.52 Examinations; all grades.

2.53 Election to waive the professional examination.

2.54 Clinical and practical dispensing demonstrations.

2.57 Merit roll.

2.58 Examinations; anticipation of meeting qualifications.

2.178 Relapse after recovery; Reserve Corps.

2. Section 2.12 is amended to read as follows:

SEC. 2.12 *Officers of the Regular Corps appointed above assistant grade.* In determining the rank and precedence of officers appointed above the grade of assistant there shall be counted the number of years of service and constructive service which are authorized by law to be counted for purposes of promotion.

3. Section 2.31 (b) is amended to read as follows:

(b) *Documentary evidence, photograph, and testimonials.* The application shall be accompanied by: (1) Documentary evidence of (i) date and place of birth (birth certificate if obtainable), (ii) graduation from professional school;

(iii) United States citizenship in the case of an applicant of foreign birth; and (iv) current registration as a graduate nurse under the nurse practice act of a State, Territory, or the District of Columbia in the case of a nurse; (2) a recent photograph; and (3) two recent testimonials of character and professional qualifications. (Sec. 208, 58 Stat. 685; 42 U. S. C., Sup., 209)

4. Sections 2.51 to 2.56, inclusive, are amended to read as follows:

SEC. 2.51 *Professional examinations, holding of; subjects to be included.* From time to time the Surgeon General may order examinations to be held in such professions and for such grades as he deems necessary for the purpose of providing merit rolls of eligible candidates for appointment in the Regular Corps and shall prescribe the subjects relating to each such profession in which candidates will be examined. (Sec. 208, 58 Stat. 685; 42 U. S. C., Sup., 209).

SEC. 2.52 *Examinations; all grades.* An examination for appointment in the Regular Corps in any grade shall consist of an interview by the board as to the candidate's general fitness and a professional examination relating to the fundamentals of the candidate's profession and their relationship to the activities of the Service. The professional examination for appointment in and above the full grade shall be oral but, in the discretion of the Surgeon General, a written professional examination may also be required. The professional examination for appointment in the junior assistant, assistant and senior assistant grades shall be written. (Sec. 208, 58 Stat. 685; 42 U. S. C., Sup., 209)

SEC. 2.53 *Election to waive the professional examination.* A candidate for appointment as a medical or dental officer in the assistant or senior assistant grade in the Regular Corps who has passed an examination given by the National Board of Medical Examiners or the National Board of Dental Examiners may, at his election, be relieved from taking the professional examination and,

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if he so elects, the grade attained by him in such National Board examination shall be used as his rating in the professional examination. (Sec. 203, 53 Stat. 635; 42 U. S. C., Sup., 209)

Sec. 254 *Clinical and practical dispensing demonstrations*—(a) *Pharmacists; grades up to and including the senior assistant grade.* A candidate for appointment as a pharmacist in any grade up to and including the senior assistant grade in the Regular Corps may, in the discretion of the board, be required to perform successfully a practical dispensing demonstration in pharmacy which, if required, shall constitute a part of the professional examination.

(b) *Dentists; assistant and senior assistant grades.* A candidate for appointment as an assistant or senior assistant dental surgeon in the Regular Corps may, in the discretion of the board, be required to perform successfully a clinical demonstration in dentistry which, if required, shall constitute a part of the professional examination. (Sec. 208, 53 Stat. 635; 42 U. S. C., Sup., 209).

Sec. 255 *Rating values.* Every candidate for appointment in the Regular Corps shall be rated by a board appointed as provided in section 232 as to professional knowledge and general fitness for the Service. In all grades the relative value of each part of the examination shall be: professional, 65%, and

general fitness, 35% (Sec. 203, 53 Stat. 635; 42 U. S. C., Sup., 209).

Sec. 256 *Minimum required rating: certification of physical fitness.* No candidate who receives a final rating below 80 or who is not found to be physically qualified shall be appointed in the Regular Corps. (Sec. 203, 53 Stat. 635; 42 U. S. C., Sup., 209)

5. Section 257 is revoked. Section 253 is redesignated as section 257 and the following new section is added immediately following the redesignated section 257:

Sec. 253 *Examination; anticipation of meeting qualifications.* A potential candidate for appointment in any grade in the Regular Corps may be examined within a period of nine months prior to the date upon which it is anticipated that he will qualify for appointment under these regulations. Upon successful completion of the examination, his name will be entered on the merit roll. However, in the event that his name, in order of relative standing among all candidates, precedes that of fully qualified candidates, his name, for purpose of appointment, shall be passed over in favor of the fully qualified candidates until such time as he becomes fully qualified, but in no event shall he otherwise lose his relative standing on the merit roll, except as provided in section 257. If the candidate fails to qualify for appointment at the time that it was anticipated, that he would qualify, his name shall be automatically dropped from the merit roll. (Sec. 203, 53 Stat. 635; 42 U. S. C., Sup., 209)

6. Section 271 is amended to read as follows:

Sec. 271 *Examination.* In the discretion of the Surgeon General, a candidate for appointment in the Reserve Corps may be required to present himself before a board or a designated representative of the Service. The professional examination shall consist of an evaluation by the board of the evidence submitted by the applicant pursuant to these regulations as to professional education, training, and experience, including any published professional or scientific articles by the applicant. The board shall also evaluate the evidence available as to his general aptitude and moral qualifications. (Sec. 208, 53 Stat. 635; 42 U. S. C., Sup., 209)

7. Immediately following section 272 the following new section is added:

Sec. 273 *Appointment to higher grades; candidates exceptionally qualified in specialized fields.* Any person eligible for appointment in the grade of assistant who, upon examination for such purpose, is found exceptionally qualified for the performance of duties in a designated field of work requiring highly specialized training or experience may be recommended for appointment in the Reserve Corps in any grade up to and including the director grade without regard to the additional years of postgraduate training or experience prescribed for grades above the assistant grade. (Sec. 203, 53 Stat. 635; 42 U. S. C., Sup., 209).

8. Section 2.81 is revoked.

9. Section 2.117 is amended to read as follows:

Sec. 2.117 *Carrying over accumulated leave during continued service; terminal leave.* Entitlement to leave of absence based upon leave accumulated but not taken shall not survive the termination of a commission, except that leave accumulated as provided in section 2.116 shall remain available to an officer whose commission is terminated but who, without break in active duty status, receives a new commission. In the case of an officer who is retired for age in time of war and after retirement is continued on or recalled to active duty without break in active service, leave accrued during service prior to retirement may be carried over to the period of service after retirement. The date of the return of an officer of the Reserve Corps to inactive duty, if prior to the expiration of his commission, shall be so fixed as to permit him to take his full accumulated leave and, whether the return be voluntary or involuntary, such return shall not become effective prior to the termination of such leave unless the officer files a written election to waive his right to such leave. (Sec. 209 (c) 58 Stat. 686; 42 U. S. C., Sup., 210 (c))

10. Section 2.142 is amended to read as follows:

Sec. 2.142 *Professional examination.* The professional examination for promotion to the assistant and senior assistant grades in the Regular Corps shall be written and consist of questions relating to the candidate's profession, the various activities of the Service and the Service laws and regulations. The professional examination for promotion to any grade above the senior assistant grade in the Regular Corps shall consist of a review and evaluation of the candidate's Service record, but, in the discretion of the Surgeon General, a written examination may also be required. (Sec. 210 (a) 58 Stat. 687; 42 U. S. C., Sup., 211 (a))

11. Section 2.144 is revoked.

12. Subsections (b) and (c) of section 2.171 are amended to read as follows:

(b) "Service - connected disability" means in the case of an officer of the Regular Corps a service-aggravated disability or a disability from disease or injury incurred in line of duty not due to misconduct or willful neglect, and in the case of an officer of the Reserve Corps a service-aggravated disability or a disability from disease or injury incurred in line of duty in time of war, not due to misconduct or willful neglect.

(c) "Service - aggravated disability" means in the case of an officer of the Regular Corps disability from preexisting disease or injury aggravated in line of duty not from misconduct or willful neglect, and in the case of an officer of the Reserve Corps disability from preexisting disease or injury aggravated in line of duty in time of war, not from misconduct or willful neglect.

13. Section 2.172 is amended to read as follows:

Sec. 2.172 *Generally.* An officer shall be retired, during the effective period of

his commission, for service-connected or service-aggravated total disability determined to exist in accordance with these regulations.

14. Section 2.178 is amended to read as follows:

Sec. 2.178 *Relapse after recovery; Reserve Corps.* If an officer of the Reserve Corps who has been retired pursuant to these regulations and whose retired pay has been terminated on account of his recovery shall again become totally disabled and if his relapse is not due to any new intervening cause, he shall again become entitled to retired pay.

15. Subsections (b) (1) (c) and (d) (1) of section 2.182 are amended to read as follows:

(b) *Presumption of service-connection of disability—(1) Regular Corps.* Every disability from disease or injury not existing at the time of the first active service of an officer of the Regular Corps, except a disability from misconduct or willful neglect, which manifests itself while the officer is on active duty shall be presumed to be a service-connected disability.

(c) *Presumption of service-connection of total disability resulting from partial disability determined to be service-connected, Reserve Corps.* Total disability which results during or within 60 days after the active service in time of war of an officer of the Reserve Corps from a partial disability determined in a proceeding under these regulations to be service-connected shall be presumed to be a service-connected disability.

(d) *Presumption of service-connection of aggravated disability—(1) Regular Corps.* Disability from preexisting disease or injury aggravated during the active service of an officer of the Regular Corps shall be presumed to be a service-connected disability.

HARRY S. TRUMAN

THE WHITE HOUSE,
October 10, 1947

[F. R. Doc. 47-9240; Filed, Oct. 10, 1947;
11:06 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 20—RETENTION PREFERENCE REGULATIONS FOR USE IN REDUCTIONS IN FORCE

MISCELLANEOUS AMENDMENTS

1. Effective as to notices issued to employees on and after September 8, 1947, or at such earlier date as agencies may decide upon, § 20.3 is amended in part as follows:

§ 20.3 *Retention preference; classification.* * * *

Group C: All employees serving under appointments specifically limited to one year or less, all non-citizen employees serving within the continental limits of the United States, its territories or possessions, all employees continuing beyond the automatic retirement age, and all

annuitants appointed under section 2 (b) of the Civil Service Retirement Act, as amended. * * *

2. Effective September '3, 1947 as to employees on the rolls of agencies on that date, §§ 20.10 and 20.13 are amended in part as follows:

§ 20.10 *Notice to employees.* * * *

(b) The proper office of the organization where he may examine a copy of these regulations and inspect the retention registers and records of his grade.

§ 20.13 *Appeals.* Any employee who feels that there has been a violation of his rights under the regulations in this part may appeal to the appropriate office of the Civil Service Commission within 10 days from the date he received his notice of the action to be taken. This time limit may be extended only upon a showing by the employee that circumstances beyond his control prevented him from filing his appeal within the prescribed 10 days. In order that employees may be informed of the facts on which action is based they shall have the right to examine a copy of the regulations in this part and to inspect the retention registers and records of their grades, including statements of reasons for passing over employees with lower standing on the retention list. Each appeal should set forth whether it is based upon an error in the records, an incorrect efficiency rating, violation of the rules of selection, restriction of the competitive area or competitive level, disregard of a specified right under the law or regulations, or denial of right to examine regulations, retention registers, or records of his grade.

(Sec. 12, 58 Stat. 390; 5 U. S. C. Sup. 861)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 47-9151; Filed, Oct. 10, 1947;
8:47 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Production and Marketing Administration (Commodity Credit)

[1947 C. C. O. Rice Bulletin 1]

PART 225—RICE LOANS

1947 RICE LOAN PROGRAM BULLETIN

This bulletin states the requirements with respect to the 1947 Rice Loan Program formulated by Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA). Loans will be made available on rough rice produced in 1947 in accordance with this bulletin.

Sec.

225.100	Administration.
225.101	Availability of loans.
225.102	Approved lending agencies.
225.103	Eligible producer.
225.104	Eligible rice.
225.105	Eligible storage.
225.106	Approved forms.
225.107	Determination of quantity of rice.
225.108	Determination of dockage.
225.109	Service fees.

Sec.

225.110	Set-offs.
225.111	Interest rate.
225.112	Transfer of producer's equity.
225.113	Insurance.
225.114	Safeguarding of the rice.
225.115	Loss or damage to the rice.
225.116	Personal liability.
225.117	Maturity and satisfaction.
225.118	Removal of the rice under loan.
225.119	Release of the rice under loan.
225.120	Purchase of notes.
225.121	Field offices.
225.122	Loan rates.

AUTHORITY: §§ 225.100 to 225.122, inclusive, issued under Article Third, paragraph (b) of the Corporate Charter of Commodity Credit Corporation; sec. 7 (a), 49 Stat. 4 as amended, Sec. 8, 56 Stat. 767 as amended; 15 U. S. C., and Sup., 713, 50 U. S. C. App., Sup., 968.

§ 225.100 *Administration.* The program will be administered in the field by the county agricultural conservation committees under the general supervision of State PMA Committees according to the provisions of this bulletin and those of Commodity Loan 2 (which establishes intra-departmental procedural and administrative responsibilities only and is, therefore, not published or made generally available to the public)

Forms may be obtained from county committees in areas where loans are available, or from other field offices of PMA. County committees will determine or cause to be determined the quantity, grade, and milling quality or milling test of the rice and the amount of the loan. Loan documents will be completed and approved by the county committee, which will retain copies of such documents. The county committee may designate in writing certain employees of the county agricultural conservation association to execute such forms on behalf of the committee. The county committee will furnish the borrower with the names of local lending agencies approved for making disbursements on loan documents. In case the producer wishes a direct loan from CCC, he will submit the loan documents to the county committee for transmittal.

§ 225.101 *Availability of loans—(a) Area.* Loans shall be available on eligible rice stored on farms or in approved warehouses in the States of Arkansas, Louisiana, California, Missouri, and Texas.

(b) *Time.* Loans shall be available through December 31, 1947.

§ 225.102 *Approved lending agencies.* An approved lending agency shall be any bank, cooperative association, corporation, partnership, individual, or other legal entity with which the CCC has entered into a Lending Agency Agreement (Form PMA-97) or other agreement prescribed by the Administrator.

§ 225.103 *Eligible producer.* An eligible producer shall be any individual, partnership, association, corporation, or other legal entity producing rough rice in 1947, as persons owning and operating their own farms; tenants operating farms rented for cash; tenants operating farms under a crop-share lease, contract, or agreement; and landlords leasing to share-tenants.

§ 225.104 *Eligible rice.* Eligible rice shall be rough rice which meets the following requirements:

(a) Such rice must be produced in 1947 by the eligible producer tendering the rice for a loan.

(b) Such rice must be free and clear of all liens and encumbrances (including landlord's liens), or if liens and encumbrances exist on the rice, proper waivers must be obtained.

(c) Such rice must be tendered for a loan by an eligible producer who is the owner of the rice and who has the legal right to pledge or mortgage it as security for the loan.

(d) The beneficial interest in such rice must be in the person tendering the rice for a loan and must always have been in him, or in him and a former producer whom he succeeded before the rice was harvested.

(e) Such rice must be in eligible storage and must be covered by insurance as required by § 225.113.

(f) Such rice shall be rough rice which, according to the U. S. Standards for Rough Rice, is of classes I to IX, inclusive, and the varieties of class X listed in § 225.122; is of grades 1 to 4, inclusive; and is of milling quality prime, good or medium, or, in the case of California Pearl (class VIIIb) or Calady (class IX) grown in California, is of milling test 52 pounds or more of head rice with 4 percent broken kernels per 100 pounds of rough rice free of dockage.

(g) Such rice shall be of a moisture content not in excess of 14½ percent, except for California Pearl (class VIIIb) and Calady (class IX) grown in California, which shall not exceed 15 percent moisture content.

(h) Such rice in farm storage bins must have been stored therein at least 30 days prior to its inspection for measurement, sampling, and sealing, unless otherwise approved by the State PMA Committee.

(i) Such rice stored in warehouses must satisfy the following requirements:

(1) Warehouse receipts representing such rice must be issued by an approved warehouse in the name of the producer, dated on or prior to the date of the related note, properly endorsed in blank so as to vest title in the holder, and must include only one class, grade and milling quality or milling test of rice.

(2) Warehouse charges through April 30, 1948, must be prepaid by the producer and evidence of prepaid storage must be submitted in substantially the following form:

Storage charges through April 30, 1948, on the rice represented by this warehouse receipt have been paid or otherwise provided for, and lien for such charges will not be claimed by the warehouseman from CCC or any subsequent holder of this warehouse receipt.

(3) The rice represented by each warehouse receipt must be free of all liens and charges at the time of unloading in or delivery to the warehouse for storage. Liens for storage charges will be recognized by CCC only from May 1, 1948, or the dates of the warehouse receipts, whichever is later.

(4) Each warehouse receipt must be accompanied by a supplemental certifi-

cate, properly identified, describing as to the lot covered by the warehouse receipt, its weight, and its quality in terms of its class, grade, test weight, dockage, moisture, and such factors as damaged kernels, red rice, foreign material, chaff, mud lumps, muddy kernels, seeds, cereal grains, and rice of other classes. The supplemental certificate must be executed by the producer if the warehouse receipt is marked "sacked identity preserved," "specially binned," or "bulk identity preserved." In all other cases, the supplemental certificate must be executed by the warehouseman. (The supplemental certificate not only establishes the basis for calculating the loan value of the rice but also describes the quality and the quantity of the rice which in event of liquidation by delivery the warehouseman or the producer is required to deliver to CCC.)

(5) All rice pledged as security for a single loan must be stored in the same warehouse.

§ 225.105 *Eligible storage.* Eligible storage shall include farm storage and public warehouses meeting the following respective requirements:

(a) Farm storage shall consist of farm bins and granaries which, as determined by the county committee, are of such substantial and permanent construction as to afford safe storage of the rice and permit effective fumigation for the destruction of insects and afford protection against rodents, other animals, thieves, and weather.

(b) Public warehouses must meet the requirements of CCC and must have executed the Uniform Rice Storage Agreement. Warehousemen desiring approval are advised to communicate with the field office serving the area in which the warehouse is located, as shown in § 225.121.)

§ 225.106 *Approved forms.* The approved forms constitute the loan documents which, together with the provisions of this bulletin, govern the rights and responsibilities of the producer and CCC, and should be read carefully. Any fraudulent representation made by a producer in obtaining a loan or in executing any of the loan documents will render him subject to prosecution under the United States Criminal Code. Notes and chattel mortgages, and note and loan agreements, must be dated prior to January 1, 1948, and be executed in accordance with these instructions, with State and documentary revenue stamps affixed thereto where required by law. Notes and chattel mortgages, and note and loan agreements executed by an administrator, executor, or trustee will be acceptable only where legally valid.

(a) *Farm storage.* Approved forms shall consist of producer's notes on CCC Commodity Form A, secured by chattel mortgages on CCC Commodity Form AA.

(b) *Warehouse storage.* Approved forms shall consist of note and loan agreements on CCC Rice Form B, secured by negotiable warehouse receipts representing rice stored in approved warehouses and supplemental certificates as specified in § 225.104.

§ 225.107 *Determination of quantity of rice.* Loans shall be made at values ex-

pressed in cents per bushel. A bushel shall be 45 pounds of rice, when determined by weight, or 1.25 cubic feet of rice testing 45 pounds per bushel, when determined by measurement. A deduction of one pound for each sack will be made in determining the net quantity of the rice when stored as sacked rice. In determining the quantity of rice in farm storage by measurement, fractional unit of less than 45 pounds shall be disregarded. The quantity determined by measurement of rice having a test weight different from 45 pounds per bushel shall be adjusted by the following percentages:

For rice testing	Percent
45 pounds or over	100
44 pounds or over, but less than 45 pounds	98
43 pounds or over, but less than 44 pounds	96
42 pounds or over, but less than 43 pounds	93
41 pounds or over, but less than 42 pounds	91
40 pounds or over, but less than 41 pounds	89
Proportionately lower for rice testing below 40 pounds.	

§ 225.108 *Determination of dockage.* The percentage of dockage shall be determined with respect to all lots of California Pearl (class VIII b) Calady (class IX) grown in California, and rice of the miscellaneous class (class X) of California production. The weight of such dockage shall be deducted from the gross weight of the rice in determining the net quantity available for loan. Test weights and milling test for such rice shall be basis free of dockage.

§ 225.109 *Service fees.* Where the rice is farm-stored the producer shall pay a service fee of 1 cent per bushel but not less than \$3.00, and where the rice is warehouse-stored the producer shall pay a service fee of ½ cent per bushel but not less than \$1.50. (County Committees, see Commodity Loan 2 Part IV for instructions for receiving, reporting and transmitting service fees.)

§ 225.110 *Set-offs.* A producer who is listed on the county debt register as indebted to any agency or corporation of the United States Department of Agriculture shall designate the agency or corporation to which he is indebted as the payee of the proceeds of the loan to the extent of such indebtedness, but not to exceed that portion of the proceeds remaining after deduction of the service fees and amounts due prior lienholders. Indebtedness owing to the CCC shall be given first consideration after claim of prior lienholders.

§ 225.111 *Interest rate.* Loans shall bear interest at the rate of 3 percent per annum; and interest shall accrue from the date of disbursement of the loan, notwithstanding any other printed provisions of the note.

§ 225.112 *Transfer of producer's equity.* The right of the producer to transfer either his right to redeem the rice or his remaining interest therein may be restricted by CCC.

§ 225.113 *Insurance.* The producer shall insure and at all times during the period ending April 30, 1948, keep in-

sured in the name of the producer and CCC, the farm-stored rice and the warehouse-stored rice, unless the warehouse receipts indicate that the rice is insured by the warehouseman, in an amount not less than the loan value thereof plus 3 percent, against loss or damage by fire, lightning, inherent explosion, windstorm, cyclone or tornado.

§ 225.114 *Safeguarding of the rice.* The producer is obligated to maintain the farm-storage structures in good repair, and to keep the farm-stored rice or the warehouse-stored rice when the receipts are marked "sacked identity preserved," "specially binned," or "bulk identity preserved" in good condition.

§ 225.115 *Loss or damage to the rice.* The producer is responsible for any loss in quantity or quality of farm-stored rice or of rice covered by warehouse receipts marked "sacked identity preserved," "specially binned," or "bulk identity preserved," except that in the case of loss or damage occurring without fault, negligence, or conversion on the part of the producer or the warehouseman which is covered by insurance pursuant to § 225.113, CCC shall look only to the insurance proceeds and salvage for satisfaction of the amount of the loan made with respect to the rice involved in the loss, provided the producer has given the county committee immediate notice in writing of such loss or damage, and provided there has been no fraudulent representation made by the producer in the loan documents or in obtaining the loan.

§ 225.116 *Personal liability.* The making of any fraudulent representation by the producer in the loan documents or in obtaining the loan, or the conversion or unlawful disposition of any portion of the rice by him, shall render the producer personally liable for the amount of the loan and for any resulting expense incurred by any holder of the note.

§ 225.117 *Maturity and satisfaction.* Loans mature on demand but not later than April 30, 1948. In the case of farm-stored loans and warehouse-storage loans involving warehouse receipts bearing the notation "sacked identity preserved," "specially binned," or "bulk identity preserved," the producer is required to pay off his loan on or before maturity, or to deliver rice at maturity in accordance with the instructions of CCC in an amount and of a class, grade, and milling quality or milling test, equal to or better than that on which the loan amount was calculated. Credit will be given for the settlement value of the total quantity of each lot of such rice delivered: *Provided*, All of it either was stored in the bin in which the rice under loan was stored, or was part of the original lot of sacked rice placed under loan, at the applicable loan rate according to grade and quality. If the settlement value of the rice delivered exceeds the amount due on the loan, the amount of the excess shall be paid by CCC to the producer. If the settlement value of the rice is less than the amount due on the loan, the amount of the deficiency, plus interest, shall be paid by the producer to CCC, or may be set off against any payment which would otherwise be made to the producer under any

agricultural programs administered by the Secretary of Agriculture, or any other payments which are due or may become due to the producer from CCC or any other agency of the United States. In case of warehouse-storage loans where the supplemental certificates accompanying the warehouse receipts are executed by the warehouseman, if the producer does not repay his loan by maturity CCC shall have the right to sell or pool the rice in accordance with the provisions of the note and loan agreement and § 225.118.

§ 225.118 *Removal of the rice under loan.* If the loan is not satisfied upon maturity by payment or delivery, the holder of the note may remove the rice and sell it, either as rough rice or after milling, by separate contract or after pooling it with other lots of rice similarly held. The producer shall have no right of redemption after the rice is sold or milled. He shall have no right of redemption after the rice is pooled but shall share ratably in any overplus remaining upon liquidation of the pool. The CCC shall have the right to treat pooled rice as a reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interests of producers and consumers, and not unduly impair the market for the current crop of rice even though part or all of such pooled rice is disposed of under such policies at prices less than the current domestic price for such rice. Any sum due the producer as a result of the sale of the rice, or of insurance proceeds thereon, or any ratable share resulting from the liquidation of a pool, shall be payable only to the producer without right of assignment by him.

§ 225.119 *Release of the rice under loan.* Subject to the provisions of § 225.118 a producer may at any time obtain release of the rice remaining under loan by paying to the holder of the note, or note and loan agreement, the principal amount thereof, plus interest. If the note is held by an out-of-town lending agency or by CCC, the producer may request that the note be forwarded to a local bank for collection. In such case, where CCC is the holder of the note, the local bank will be instructed to return the note if payment is not effected within 15 days. All charges in connection with the collection of the note shall be paid by the producer. Upon payment of a farm-storage loan, the county committee should be requested to release the mortgage by filing an instrument of release or by a marginal release on the county recording office records. Partial releases of the rice prior to maturity may be arranged with the county committee by paying to the holder of the note the amount of the loan, plus charges and accrued interest, represented by the quantity of the rice to be released. However, each partial release must cover all of the rice either under one warehouse receipt number or in one farm-storage bin or in one lot of farm-stored sacked rice.

§ 225.120 *Purchase of notes.* CCC will purchase, from approved lending

agencies, notes evidencing approved loans which are secured by chattel mortgages or negotiable warehouse receipts. The purchase price to be paid by CCC will be the principal sums remaining due on such notes, plus accrued interest from the date of disbursement to the date of purchase at the rate of $1\frac{1}{2}$ percent per annum. Lending agencies are required to submit a weekly report to CCC and to the county committee on 1940 CCC Form F or such other form as CCC may prescribe, of all payments received on producer's notes held by them, and are required to remit promptly to CCC an amount equivalent to $1\frac{1}{2}$ percent interest per annum, on the amount of the principal collected, from the date of disbursement to the date of payment. Lending agencies should submit notes and reports to the CCC field office serving the area.

§ 225.121 *Field offices.* The field offices and the areas served by them, are shown below:

Address and Area

Director, CCC Field Office, 333 St. Charles Street, New Orleans 12, La., Arkansas, Louisiana, Missouri, and Texas.

Chief, Area Fiscal Office, 321 Market Street, San Francisco 3, Calif., California.

§ 225.122 *Loan rates.* The loan rates in dollars per bushel for eligible rough rice of specified varieties, grades, milling quality or milling test follow:

Variety	U. S. Grades 1 and 2 Prime and Good (65 lbs. head, or better per cwt. milling test)	U. S. Grades 1 and 2 Medium (62 to 65 lbs. head, per cwt. milling test) or U. S. Grades 3 and 4 Prime and Good (63 to 65 lbs. head, per cwt. milling test)	U. S. Grades 3 and 4 Medium (62 to 65 lbs. head, per cwt. milling test)
Rexoro, Patna.....	1.94	1.76	1.58
Nira.....	1.93	1.75	1.57
Fortuna, Edith.....	1.50	1.72	1.54
Roses, Zenith.....	1.82	1.68	1.54
Early Prolific, Pearl, Lady Wright, Calady.....	1.53	1.41	1.23

Approved: October 8, 1947.

[SEAL] RALPH S. TRIGG,
Vice President,
Commodity Credit Corporation.

[F. R. Doc. 47-9186; Filed, Oct. 10, 1947;
9:29 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices)

PART 52—PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

UNITED STATES STANDARDS FOR FROZEN SPINACH

Correction

In Federal Register Document No. 47-9107 appearing at page 6653 of the issue for Thursday, October 9, 1947, the signature of the Acting Assistant Administrator, Production and Marketing Administration, at the end of the document should read "S. R. Newell."

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

[Grapefruit Reg. 63]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.354 *Grapefruit Regulation 63—(a) Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR, Cum. Supp., 933.1 et seq., 11 F. R. 9471), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and the 30-day effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available, and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., October 13, 1947, and ending at 12:01 a. m., e. s. t., October 27, 1947, no handler shall ship:

(i) Any grapefruit of any variety, grown in the State of Florida, which grade U. S. Combination Russet, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the United States standards for citrus fruits, as amended (12 F. R. 6277))

(ii) Any seeded grapefruit, other than pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards), in a standard box (as such box is defined in the standards for containers for citrus fruit established by the Florida Citrus Commission pursuant to section 3 of Chapter 20449, Laws of Florida, Acts of 1941 (Florida Laws Annotated § 595.09))

(iii) Any seedless grapefruit, other than pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards), in a standard box (as such box is defined in the aforesaid standards for containers for citrus fruit), or

(iv) Any pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 126 grapefruit, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards) in a standard box (as such box is defined in the aforesaid standards for containers for citrus fruit)

(2) As used in this section, "variety," "handler," and "ship" shall have the same meaning as is given to each such term in said amended marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 8th day of October 1947.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 47-9204; Filed, Oct. 10, 1947;
8:46 a. m.]

[Orange Reg. 126]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.355 *Orange Regulation 126—(a) Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR, Cum. Supp., 933.1 et seq., 11 F. R. 9471) regulating the handling of orange, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and the 30-day effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., October 13, 1947, and ending at 12:01 a. m., e. s. t., October 27, 1947, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in the State of Florida which grade U. S. Combination Russet, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the United States standards for citrus fruits, as amended (12 F. R. 6277)), or

(ii) Any oranges, except Temple oranges, grown in the State of Florida

which are of a size smaller than a size that will pack 250 oranges, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards), in a standard box (as such box is defined in the standards for containers for citrus fruit established by the Florida Citrus Commission pursuant to section 3 of Chapter 20449, Laws of Florida, Acts of 1941 (Florida Laws Annotated § 595.09))

(2) As used in this section, "handler" and "ship" shall have the same meaning as is given to each such term in said amended marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 *et seq.*)

Done at Washington, D. C., this 8th day of October 1947.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 47-9203; Filed, Oct. 10, 1947;
8:46 a. m.]

[Lemon Reg. 243]

PART 953—LEMONS GROWN IN CALIFORNIA
AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.350 *Lemon Regulation 243—(a), Findings.* (1) Pursuant to the marketing agreement and Order No. 53 (7 CFR, Cum. Supp., 953.1 *et seq.*) regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and the 30-day effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., October 12, 1947, and ending at 12:01 a. m., P. s. t., October 19, 1947, is hereby fixed at 200 carloads, or an equivalent quantity.

(2) The prorate base of each handler who has made application therefor, as provided in the said marketing agree-

ment and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference. The Lemon Administrative Committee, in accordance with the provisions of the said marketing agreement and order, shall calculate the quantity of lemons which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used in this section, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 *et seq.*)

Done at Washington, D. C., this 9th day of October 1947.

[SEAL] C. F. KUNKEL,
Acting Director, Fruit and Vegetable
Branch, Production and
Marketing Administration.

PRORATE BASE SCHEDULE

Storage Date: October 5, 1947

[12:01 a. m. Oct. 12, 1947, to 12:01 a. m.
Oct. 26, 1947]

Handler	Prorate base (percent)
Total.....	100.000
Allen-Young Citrus Packing Co.....	.000
American Fruit Growers, Fullerton.....	.097
American Fruit Growers, Lindsay.....	.000
American Fruit Growers, Upland.....	.263
Consolidated Citrus Growers.....	.041
Corona Plantation Co.....	.223
Hazeltine Packing Co.....	.488
Leppla-Pratt, Produce Distrib. Inc.....	.042
McKellips, C. H.-Phoenix Citrus Co.....	.026
McKellips Mutual Citrus Growers Inc.....	.029
Phoenix Citrus Packing Co.....	.018
Ventura Coastal Lemon Co.....	2.916
Ventura Pacific Co.....	1.916
Total A. F. G.....	6.059
Arizona Citrus Growers.....	.041
Desert Citrus Growers Co. Inc.....	.058
Mesa Citrus Growers.....	.058
Elderwood Citrus Association.....	.000
Klink Citrus Association.....	.050
Lemon Cove Association.....	.000
Glendora Lemon Growers Association.....	1.329
La Verne Lemon Association.....	.448
La Habra Citrus Association.....	.618
Yorba Linda Citrus Association, The.....	.310
Alta Loma Hts. Citrus Association.....	.296
Etiwanda Citrus Fruit Association.....	.196
Mountain View Fruit Association.....	.380
Old Baldy Citrus Association.....	.830
Upland Lemon Growers Association.....	4.576
Central Lemon Association.....	.215
Irvine Citrus Association, The.....	.373
Placentia Mutual Orange Association.....	.226
Corona Citrus Association.....	.042
Corona Foothill Lemon Co.....	.786
Jameson Co.....	.469
Arlington Heights Fruit Company.....	.132
College Heights Orange & Lemon Association.....	3.857
Chula Vista Citrus Association, The.....	1.313
El Cajon Valley Citrus Association.....	.017
Escondido Lemon Association.....	2.020
Fallbrook Citrus Association.....	1.177
Lemon Grove Citrus Association.....	.130
San Dimas Lemon Association.....	1.319
Carpinteria Lemon Association.....	4.316
Carpinteria Mutual Citrus Association.....	4.429
Goleta Lemon Association.....	4.436
Johnston Fruit Co.....	8.867

PRORATE BASE SCHEDULE—Continued

Handler	Prorate base (percent)
North Whittier Heights Citrus Association.....	0.354
San Fernando Heights Lemon Association.....	1.214
San Fernando Lemon Association.....	.140
Sierra Madre-Lamanda Citrus Association.....	1.113
Tulare County Lemon & Grapefruit Association.....	.131
Briggs Lemon Association.....	3.694
Culbertson Investment Co.....	1.000
Culbertson Lemon Association.....	1.136
Fillmore Lemon Association.....	.746
Oxnard Citrus Association No. 1.....	4.579
Oxnard Citrus Association No. 2.....	2.952
Rancho Sespe.....	.564
Santa Paula Citrus Fruit Association.....	2.873
Saticoy Lemon Association.....	5.761
Seaboard Lemon Association.....	0.907
Somis Lemon Association.....	4.136
Ventura Citrus Association.....	2.445
Limoneira Company.....	2.884
Teague-McKevett Association.....	.636
East Whittier Citrus Association.....	.207
Leffingwell Rancho Lemon Association.....	.314
Murphy Ranch Co.....	.463
Whittier Citrus Association.....	.236
Whittier Select Citrus Association.....	.217
Total C. F. G. E.....	88.010

Arizona Citrus Products Co.....	.003
Chula Vista Mutual Lemon Association.....	.907
Escondido Coop. Citrus Association.....	.110
Glendora Coop. Citrus Association.....	.026
Index Mutual Association.....	.024
La Verne Coop. Citrus Association.....	1.730
Libbey Fruit Packing Co.....	.041
Orange Coop. Citrus Association.....	.127
Pioneer Fruit Co.....	.042
Tempe Citrus Co.....	.013
Ventura Co. Orange & Lemon Association.....	1.654
Whittier Mutual Orange & Lemon Association.....	.029
Total M. O. D.....	4.705

Abbate, Chas. Co., The.....	.000
California Citrus Groves, Inc. Ltd.....	.000
Evans Bros. Packing Co.—Riverside.....	.000
Evans Bros. Packing Co.—Sentinel Butte Ranch.....	.000
Foothill Packing Company.....	.000
Granada Packing House.....	.000
Harding & Leggett.....	.209
Howell, Ira E., Fruit & Produce, Inc.....	.123
Morris Bros. Fruit Co.....	.220
Orange Belt Fruit Distributors.....	.577
Potato House, The.....	.000
Raymond Bros.....	.000
Rooke, B. G., Packing Co.....	.000
San Antonio Orchard Co.....	.004
Sun Valley Packing Co.....	.000
Sunny Hills Ranch, Inc.....	.000
Valley Citrus Packing Co.....	.000
Verity, R. H., Sons & Co.....	.087
Western States Fruit & Produce Co.....	.000

Total Independents..... 1.220

[F. R. Doc. 47-9226; Filed, Oct. 10, 1947;
8:45 a. m.]

[Grapefruit Reg. 47]

PART 955—GRAPEFRUIT GROWN IN ARIZONA; IN IMPERIAL COUNTY, CALIF., AND THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF THE SAN GORGONIO PASS

LIMITATION OF SHIPMENTS

§ 955.308 *Grapefruit Regulation 47—(a) Findings.* (1) Pursuant to the

marketing agreement and Order No. 55 (7 CFR, Cum. Supp., 955.1 et seq.) regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Geronio Pass, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation of the Administrative Committee established under the said marketing agreement and the said order, and upon other available information, it is hereby found that the limitation of shipments of such grapefruit as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and the 30-day effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order* (1) During the period beginning at 12:01 a. m., P. s. t., October 12, 1947, and ending at 12:01 a. m., P. s. t., November 16, 1947, no handler shall ship:

(i) Any grapefruit grown in the State of Arizona; in Imperial County, California; or in that part of Riverside County, California, situated south and east of the San Geronio Pass, which grade lower than U. S. No. 2 grade, as such grades are defined in the revised United States Standards for Grapefruit (California and Arizona) (12 F. R. 1975) or

(ii) From the State of California or the State of Arizona (a) to any point outside thereof in the United States, any such grapefruit which are of a size smaller than $3\frac{1}{16}$ inches in diameter, or (b) to any point outside thereof in Canada, any such grapefruit which are of a size smaller than $3\frac{1}{16}$ inches in diameter ("diameter" in each case to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit) except that a tolerance of 5 percent by count, of grapefruit smaller than such minimum sizes shall be permitted which tolerances shall be applied in accordance with the provisions for the application of tolerances, specified in the said revised United States Standards for Grapefruit (California and Arizona) *Provided*, That in determining the percentage of grapefruit in any lot which are smaller than $3\frac{1}{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size $4\frac{1}{16}$ inches in diameter and smaller; and in determining the percentage of grapefruit in any lot which are smaller than $3\frac{1}{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of

a size $3\frac{1}{16}$ inches in diameter and smaller.

(2) As used in this section, "handler" and "ship" shall have the same meaning as is given to each such term in said marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 8th day of October 1947.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 47-9205; Filed, Oct. 10, 1947;
8:46 a. m.]

[Orange Reg. 193]

PART 966—ORANGES GROWN IN CALIFORNIA
AND ARIZONA

LIMITATION IN SHIPMENTS

§ 966.345 *Orange Regulation 193*—(a) *Findings*. (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and the 30-day effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order*. (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., October 12, 1947, and ending at 12:01 a. m., P. s. t., October 19, 1947, is hereby fixed as follows:

(i) *Valencia oranges*. (a) Prorate District No. 1, unlimited movement; (b) Prorate District No. 2, 1,650 carloads; and (c) Prorate District No. 3, unlimited movement.

(ii) *Oranges other than Valencia oranges*. (a) Prorate Districts Nos. 1, 2, and 3, no movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

The Orange Administrative Committee, in accordance with the provisions of the said order, shall calculate the quantity of oranges which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used in this section, "handler," "handler," "carloads" and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 of the rules and regulations (11 F. R. 10253) issued pursuant to said order. (43 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 8th day of October 1947.

[SEAL] C. F. KUNKEL,
Acting Director, Fruit and Vege-
table Branch, Production and
Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m. Oct. 12, 1947 to 12:01 a. m.
Oct. 19, 1947]

VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.0542
A. F. G. Fullerton	1.0334
A. F. G. Orange	.6653
A. F. G. Redlands	.2491
A. F. G. Riverside	.1853
A. F. G. San Juan Capistrano	.9330
A. F. G. Santa Paula	.4935
Corona Plantation Co.	.2391
Hazeltine Packing Co.	.3618
Placentia Pioneer Valencia Growers Association	.7063
Signal Fruit Association	.0341
Azuca Citrus Association	.4317
Azuca Orange Co., Inc.	.1433
Damerel-Allicon Co.	.9160
Glendora Mutual Orange Associa- tion	.4000
Irwindale Citrus Association	.3653
Puente Mutual Citrus Association	.2206
Valencia Heights Orchards Associa- tion	.4710
Glendora Citrus Association	.3676
Glendora Heights Orange and Lemon Growers Association	.0632
Gold Buckle Association	.6250
La Verne Orange Association	.4762
Anaheim Citrus Fruit Association	1.6321
Anaheim Valencia Orange Associa- tion	1.5336
Edgington Fruit Company, Inc.	1.8653
Fullerton Mutual Orange Associa- tion	1.4332
La Habra Citrus Association	.6041
Orange County Valencia Associa- tion	.7017
Orangethorpe Citrus Association	1.2013
Placentia Coop. Orange Association	.7372
Yorba Linda Citrus Association, Inc.	.6523
Alta Loma Heights Citrus Associa- tion	.0630
Citrus Fruit Growers	1.0633
Cucamonga Citrus Association	.0716
Etiwanda Citrus Fruit Association	.0441
Old Baldy Citrus Association	.0937
Rialto Heights Orange Growers	.0363
Upland Citrus Association	.2359
Upland Heights Orange Associa- tion	.1532
Consolidated Orange Growers	2.3277
Frances Citrus Association	.6427
Garden Grove Citrus Association	1.7333

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Goldenwest Citrus Association, The.....	1.5501
Irvine Valencia Growers.....	2.5674
Olive Heights Citrus Association.....	1.8484
Santa Ana-Tustin Mutual Citrus Association.....	.8160
Santiago Orange Growers Association.....	4.1430
Tustin Hills Citrus Association.....	1.6523
Villa Park Orchs. Association, The.....	1.9645
Andrews Brothers, Inc.....	.5095
Bradford Brothers, Inc.....	.7086
Placentia Mutual Orange Association.....	1.8397
Placentia Orange Growers Association.....	2.5993
Call Ranch.....	.0762
Corona Citrus Association.....	.4785
Jameson Company.....	.0492
Orange Heights Orange Association.....	.2902
Break & Son, Allen.....	.0593
Bryn Mawr Fruit Grs. Association.....	.2773
Crafton Orange Growers Association.....	.4106
E. Highlands Citrus Association.....	.0901
Fontana Citrus Association.....	.0877
Highland Fruit Growers Association.....	.0532
Krinnard Packing Co.....	.2854
Mission Citrus Association.....	.1445
Redlands Coop. Fruit Association.....	.4261
Redlands Heights Groves.....	.3218
Redlands Orange Growers Association.....	.2737
Redlands Orangedale Association.....	.2970
Redlands Select Groves.....	.1689
Rialto Citrus Association.....	.1578
Rialto Orange Co.....	.1573
Southern Citrus Association.....	.2230
United Citrus Growers.....	.1514
Zillen Citrus Co.....	.0346
Andrews Brothers of Calif.....	.1677
Arlington Heights Fruit Co.....	.1786
Brown Estate, L. V. W.....	.1987
Gavilan Citrus Association.....	.1118
Hemet Mutual Groves.....	.1083
Highgrove Fruit Association.....	.0758
McDermont Fruit Co.....	.1468
Mentone Heights Association.....	.0762
Monte Vista Citrus Association.....	.2297
National Orange Co.....	.0428
Riverside Heights Orange Growers Association.....	.0372
Sierra Vista Packing Association.....	.0613
Victoria Avenue Citrus Association.....	.1840
Claremont Citrus Association.....	.1467
College Heights Orange and Lemon Association.....	.2168
El Camino Citrus Association.....	.0863
Indian Hill Citrus Association.....	.1840
Pomona Fruit Growers Exchange.....	.3716
Walnut Fruit Growers Association.....	.4516
West Ontario Citrus Association.....	.3783
El Cajon Valley Citrus Association.....	.2782
Escondido Orange Association.....	2.5278
San Dimas Orange Growers Association.....	.5261
Covina Citrus Association.....	1.1150
Covina Orange Growers Association.....	.4886
Duarte-Monrovia Fruit Exchange.....	.2124
Santa Barbara Orange Association.....	.0000
Ball & Tweedy Association.....	.6390
Canoga Citrus Association.....	.8868
N. Whittier Heights Citrus Association.....	.9337
San Fernando Fruit Growers Association.....	.4542
San Fernando Heights Orange Association.....	.9961
Sierra Madre-Lamanda Citrus Association.....	.3731
Camarillo Citrus Association.....	1.5511
Fillmore Citrus Association.....	2.3615
Mupu Citrus Association.....	2.6150
Ojai Orange Association.....	.9862

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Piru Citrus Association.....	2.0530
Santa Paula Orange Association.....	.7568
Tapo Citrus Association.....	.6682
Limoneira Co.....	.4119
E. Whittier Citrus Association.....	.4183
El Ranchito Citrus Association.....	1.0061
Murphy Ranch Co.....	.4478
Rivera Citrus Association.....	.5660
Whittier Citrus Association.....	.9007
Whittier Select Citrus Association.....	.3355
Anaheim Coop. Orange Association.....	1.4346
Bryn Mawr Mutual Orange Association.....	.1111
Chula Vista Mutual Lemon Association.....	.0951
Escondido Coop. Citrus Association.....	.3455
Euclid Avenue Orange Association.....	.4390
Foothill Citrus Union, Inc.....	.0345
Fullerton Coop. Orange Association.....	.5084
Garden Grove Orange Coop., Inc.....	.8111
Glendora Coop. Citrus Association.....	.0600
Golden Orange Groves, Inc.....	.3174
Highland Mutual Groves.....	.0652
Index Mutual Association.....	.2104
La Verne Coop. Citrus Association.....	1.4749
Olive Hillside Groves.....	.7514
Orange Coop. Citrus Association.....	1.2007
Redlands Foothill Groves.....	.5238
Redlands Mutual Orange Association.....	.1796
Riverside Citrus Association.....	.0550
Ventura County Orange & Lemon Association.....	.9416
Whittier Mutual Orange & Lemon Association.....	.1555
Babijuce Corp. of Calif.....	.6298
Banks Fruit Co.....	.1855
Banks, L. M.....	.4720
Borden Fruit Co.....	1.0164
California Fruit Distributors.....	.1700
Cherokee Citrus Co., Inc.....	.1375
Chess Company, Meyer W.....	.2820
Escondido Avocado Growers.....	.0453
Evans Brothers Packing Co.....	.2215
Furr, N. C.....	.0155
Gold Banner Association.....	.3039
Granada Hills Packing Co.....	.0252
Granada Packing House.....	2.3625
Hill, Fred A.....	.0814
Inland Fruit Dealers.....	.0771
Mills, Edward.....	.0019
Orange Belt Fruit Distributors.....	2.2352
Panno Fruit Company, Carlo.....	.0325
Paramount Citrus Association.....	.2651
Placentia Orchards Co.....	.5013
San Antonio Orchards Co.....	.4765
Santa Fe Groves Co.....	.0526
Snyder & Sons Co., W. A.....	.8167
Stephens, T. F.....	.0387
Sunny Hills Ranch, Inc.....	.0484
Ventura County Citrus Association.....	.0027
Verity & Sons Co., R. H.....	.0374
Wall, E. T.....	.1010
Webb Packing Co.....	.1595
Western Fruit Grs., Inc., Redlands.....	.6866
Yorba Orange Growers Association.....	.5280

[F. R. Doc. 47-9225; Filed, Oct. 10, 1947; 8:45 a. m.]

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 7, Termination]

PART 1430—SUGAR

ORDER OF TERMINATION

War Food Order No. 7 is hereby terminated.

This order shall become effective at 12:01 a. m., e. s. t., October 8, 1947. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 7, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal. (E. O. 9280, Dec. 5, 1942, 7 F. R. 10179; E. O. 9577, July 1, 1945, 10 F. R. 8087.)

Issued this 8th day of October 1947.

[SEAL] CLINTON P ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-9164; Filed, Oct. 10, 1947; 8:47 a. m.]

[WFO 63, Amdt. 6]

PART 1596—FOOD IMPORTS

SUGAR PRODUCED FROM 1947-1948 CROP SUGARCANE

War Food Order No. 63, as amended (12 F. R. 459) is further amended by adding immediately after paragraph (n) the following new paragraph:

(o) *Sugar produced from 1947-1948 crop sugarcane.* The provisions of this order shall not apply to any sugar which is to be produced from sugarcane harvested on and after November 1, 1947.

This amendment shall become effective at 12:01 a. m., e. s. t., October 8, 1947. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 63, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E. O. 9280, Dec. 5, 1942, 7 F. R. 10179, E. O. 9577, July 1, 1945, 10 F. R. 8087)

Issued this 8th day of October 1947.

[SEAL] CLINTON P ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-9163; Filed, Oct. 10, 1947; 8:47 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property, Department of Justice

PART 500—ORGANIZATION OF OFFICE OF ALIEN PROPERTY AND DELEGATIONS OF FINAL AUTHORITY

PART 501—GENERAL RULES OF PROCEDURE

PART 503—SUBSTANTIVE RULES

MISCELLANEOUS AMENDMENTS

1. Part 500 is hereby amended by amendment of §§ 500.1 (b), (c) and (d), 500.10, 500.11, 500.20 (d) 500.21, 500.22, 500.23, 500.24, 500.25, 500.31, 500.32, 500.33 and 500.35, and by adding § 500.36, all as set out below.

§ 500.1 *Central and field organization.* * * *

(b) *Organization.* The Office is composed of the following branches, sections and officers with functions as indicated:

(1) *Director and Deputy Director.* The Director supervises and directs all of the activities of the Office of Alien Property. He may transfer the functions, as provided for in the following subparagraphs, from one branch, section or officer to another. The Deputy Director may exercise any of the functions of the Director.

(2) *Executive Committee.* The Executive Committee is composed of the Director, the Deputy Director, and such staff officers as are named by the Director. It serves in an advisory capacity to the Director in determination of policies and administrative actions.

(3) *Secretary.* The Secretary provides liaison with other Government agencies and with other Governments. He coordinates policies and practices of the Office. He is the secretary of the Executive Committee. He handles miscellaneous correspondence addressed to the Office, and processes formal orders and documents.

(4) *Operations Branch.* The Chief, Operations Branch, has general supervision over the sections and field offices which comprise the Branch. These sections and field offices, and their functions, are as follows:

(i) *Business Management Section.* Supervises the operation of business enterprises continuing as going concerns, and conducts sales of vested interests.

(ii) *Liquidation Section.* Supervises liquidation of enterprises not continuing as going concerns, and manages and sells tangible personal property not connected with real property.

(iii) *Real Estate Section.* Manages and sells real estate, mortgages and tangible personal property connected therewith.

(iv) *Patent Section.* Administers programs relating to patents, copyrights and trade-marks, secret processes and industrial techniques, including identification of enemy ownership, licensing, patent prosecution, royalty collection, contract renegotiation, and dissemination of technical information relating to vested patents.

(v) *Vesting Section.* Is responsible for identification and establishment of proof of ownership of all enemy-owned assets except patents, copyrights, trade-marks, estates, trusts, and insurance policies.

(vi) *Collection and Custody Section.* Reduces to possession vested securities and other tangible personal property. Is in charge of depositary and transfer functions as to vested property. Sells miscellaneous securities. Performs certain functions in connection with the effectuation of orders for the payment of debt claims pursuant to section 34 of the Trading with the Enemy Act, and for the return of property pursuant to section 32 of the Trading with the Enemy Act.

(vii) *Reports and Statistics Section.* Conducts research to evaluate effectiveness of programs and assists in policy formulation; assembles statistical data on controlled properties, prepares annual and other official reports.

(viii) *Office of Manager New York.* Coordinates activities of all branches in New York, and handles personnel and service functions in that office.

(ix) *Office of Manager, San Francisco.* Coordinates activities of all branches in San Francisco, and handles personnel and service functions in that office.

(x) *Office of Manager, Hawaii.* Is responsible for administration of all functions in the Office of Alien Property in the Hawaiian Islands.

(5) *Estates and Trusts Branch.* The Chief, Estates and Trusts Branch, has general supervision of an integrated estates and trusts program, which includes:

(i) The pre-vesting participation of the Office of Alien Property in probate matters;

(ii) The vesting program with respect to estates and trusts, and interests in insurance policies;

(iii) The post-vesting management of estates and trusts;

(iv) Litigation involving estates and trusts in courts of first instance.

(6) *Litigation Branch.* The Chief, Litigation Branch, is in charge of litigation involving all matters, other than estates and trusts, in courts of first instance. He also has general supervisory responsibility over all appellate litigation.

(7) *Appeals and Legislation Branch.* The Chief, Appeals and Legislation Branch, is in charge of legislation and, under the general supervisory responsibility of the Chief, Litigation Branch, of all appellate litigation.

(8) *Legal Branch.* The Chief, Legal Branch, advises the Director with respect to legal aspects of office policy and operation. He also supervises liquidation of banking, insurance, and other financial institutions under the control of the Office of Alien Property.

(9) *Administrative Branch.* The Chief, Administrative Branch, has responsibility for personnel matters within the Office of Alien Property, procurement, mail, files, records, and all other administrative services.

(10) *Assistant to the Director.* The Assistant to the Director acts as special adviser to the Director on matters of organizational importance. He exercises supervision over the European operations of the Office carried on by the Department of Justice Mission attached to the Office of Military Government (U. S.) Germany.

(11) *Comptroller's Branch.* The Chief, Comptroller's Branch, is responsible for the maintenance of all accounting records pertaining to vested property and administrative expenses, the preparation of financial reports, and the review of financial data on vested and supervised business enterprises. He supervises the functions of the Disbursing Officer, who deposits for collection with the Treasurer of the United States currency, checks, and drafts paid to or received by the Office of Alien Property in the New York Office, transfers the proceeds to the Treasurer of the United States for the account of the Attorney General, and makes disbursements by the issuance of checks in payment of all expenses of

and claims against the Office of Alien Property.

(12) *Claims Branch.* The Chief, Claims Branch, administers an integrated claims program including the processing of all claims for the return of property pursuant to section 32, and all debt claims pursuant to section 34 of the Trading with the Enemy Act, as well as related fee matters under section 20.

(13) *Hearing Examiners Branch.* The Hearing Examiners Branch is composed of a Chief Hearing Examiner and other Hearing Examiners. Subject to review by the Director, the Hearing Examiners hear and determine contested claims and claims in which a hearing is deemed necessary by the Director or the Chief, Claims Branch, arising under sections 20, 32 and 34 of the Trading with the Enemy Act, and other matters assigned by the Director.

(c) *Location of offices.* The Office of Alien Property maintains offices in the following locations:

(1) Washington 25, D. C., Federal Home Loan Bank Board Building.

(2) New York 5, N. Y., 120 Broadway.

(3) San Francisco 3, Calif., 833 Market Street.

(4) Honolulu, T. H., Yokohama Specie Bank Building.

(d) *Requests and inquiries.* Requests and inquiries may be addressed to the Office of Alien Property, Washington 25, D. C. Correspondence from the Office includes reference symbols, use of which expedites the handling of reply. Persons, who are located near the New York, San Francisco or Honolulu offices may address the manager of the field offices most convenient to them.

§ 500.10 *Sales program.* Vested properties are offered for sale by the Office of Alien Property at various times and places. Notice of sale is given by publication in newspapers and appropriate trade journals, and, by mail, to persons who may be placed upon request on a mailing list, maintained by the Comptroller's Branch, 120 Broadway, New York 5, N. Y. Information concerning the program is available upon request to the Office of Alien Property, Washington 25, D. C.

§ 500.11 *Patent, trade-mark, and copyright programs.* Vested interests in patents, trade-marks, and copyrights have been made available for use by the American public. General information concerning the programs is available upon request to the Patent Section, Office of Alien Property, Washington 25, D. C.

§ 500.20 *Delegation to Office of Alien Property.* * * *

(d) Reference is made to Executive Order 9818 of January 7, 1947 (12 F. R. 133), establishing the Philippine Alien Property Administration and defining its functions.

§ 500.21 *Delegation of authority to Deputy Director.* (a) The Deputy Director may exercise any of the authority, rights, privileges, powers, duties and functions of the Director, Office of Alien Property, in the absence of the Director or in the event of his inability to act, or at any other time, to the extent that

such an authority may be lawfully delegated by the Director.

(b) The Deputy Director will act for and on behalf of the Attorney General and will sign in the following form:

For the Attorney General:

(Signature) _____

(Name)

Deputy Director Office of Alien Property.

§ 500.22 *Delegation to Chief, Estates and Trusts Branch.* The Chief, Estates and Trusts Branch, is authorized to take such action as he deems necessary in the administration of paragraphs 2 (f) and 5 of Executive Order 9095, as amended, and any orders issued pursuant thereto.

§ 500.23 *Delegation to Chief, Operations Branch, and others.* (a) The Chief, Operations Branch, the Chief, Estates and Trusts Branch, the Chief, Collection and Custody Section, and the Manager, New York Office, are severally authorized:

(1) To issue any demand, direction, or instruction directed to any person, firm or corporation, or take any other action necessary in order to effectuate any vesting order;

(2) To take custody of and to receipt for any property or interest therein, or to accept payment, conveyance, transfer, assignment, or delivery made to or for the account of the Attorney General pursuant to the Trading with the Enemy Act, as amended;

(3) To direct the execution of transfers of vested property.

(b) The Disbursing Officer is authorized to collect moneys for the Office of Alien Property, to transfer the proceeds to the Secretary of the Treasury for the account of the Attorney General, and to make disbursements by the issuance of checks in payment for all necessary and proper expenses of the Office of Alien Property.

§ 500.24 *Delegation to Chief, Operations Branch, and others, concerning sale of property.* The Chief, Operations Branch, the Chief, Business Management Section, the Chief, Liquidation Section, the Chief, Real Estate Section, the Manager, New York Office, and the Manager, Hawaii Office, are authorized to exercise the powers including the power of designation, conferred upon officials of the Office of Alien Property by § 501.16 (General Order No. 26) 8 F.R. 7628.

§ 500.25 *Delegation to hearing examiners.* The hearing examiners are hereby delegated authority to exercise the powers conferred upon hearing examiners by Part 504 of this chapter.

§ 500.31 *Appointment of agents and delegates.* The Chief, Operations Branch, the Chief, Estates and Trusts Branch, the Chief, Legal Branch, the Chief, Business Management Section, the Chief, Liquidation Section, the Chief, Real Estate Section, the Chief, Patent Section, the Manager, New York Office, and the Manager, Hawaii Office, are hereby appointed and delegated, severally to make and to revoke for and on behalf of the Attorney General, authorizations of transactions with respect to

any property or business enterprise subject to the authority and power conferred upon the Attorney General; and with respect to any such specific property or business enterprise subject to such authority and power, to appoint and designate supervisors for such specific property or business enterprise who shall have authority to make and to revoke on behalf of the Attorney General authorizations of transactions. (See § 503.5 of this chapter.)

§ 500.32 *Delegations of authority to certify documents.* The Secretary and the Assistant Secretary for Records, severally, are authorized to exercise the power vested in the Director to authenticate, certify and attest copies of any books, records, papers or other documents in the official custody of the Office of Alien Property and to subscribe the Director's name to such certificates in his behalf.

§ 500.33 *Delegation of authority to make records available.* Each Branch Chief of the Office of Alien Property and the Manager, New York Office, in the conduct of affairs of his Branch or Office, is authorized to make official records available to applicants in accordance with § 506.17 of this chapter.

§ 500.35 *Delegation to Chief, Operations Branch, and Chief, Patent Section.* (a) Subject to the provisions of paragraph (b) of this section, the Chief, Operations Branch, and the Chief, Patent Section, are severally authorized;

(1) To execute licenses under patents, applications for patents, copyrights, and interests therein, and, where appropriate, to fix royalty schedules pertaining thereto (Forms APC 30, 64, 65, 25 and 26)

(2) To approve requests for loans of motion picture films, and enter into agreements concerning the use thereof (Forms APC 53 and 53-A)

(3) To make demand for, and accept payment of, royalties and other moneys due to the Attorney General under patents, applications for patents, copyrights, trade-marks, films, licenses, and interests therein;

(4) To execute powers of attorney and sign all papers necessary for the proper conduct of business of the Office of Alien Property before the United States Patent Office.

(b) The authority delegated in paragraph (a) (1) and (2) of this section shall be exercised by means of the standard approved forms therein indicated, subject to the terms and conditions of such forms, except that additions may be made consisting only of a more detailed description of the right granted and its field of use (including limitations thereon) so long as such additions do not enlarge the grant, or otherwise affect the full operation, of any of the regular provisions of said approved forms.

(c) Whenever the terms of a court decree, or an agreement entered into by the Attorney General, the Director, Office of Alien Property, or the Alien Property Custodian have fixed the terms and conditions upon which particular licenses shall thereafter be issued, the

Chief, Operations Branch, and the Chief, Patent Section, are severally authorized to execute licenses which contain or incorporate, in addition to a part or all of the terms of the standard license forms referred to in paragraph (a) (1) of this section, and the additions permitted by paragraph (b) of this section, only such terms and conditions as are fixed by said court decree or agreement.

§ 500.36 *Delegation to Manager, New York Office.* The Manager, New York Office, is authorized to make demand for, and accept payment of, royalties and other moneys due to the Attorney General under patents, applications for patents, trade-marks, licenses, and interests therein.

(40 Stat. 411, 55 Stat. 839, 60 Stat. 50, 60 Stat. 925; 50 U. S. C. App. 1, 50 U. S. C. App., Sup. 5 (b) E. O. 9142, Apr. 21, 1942, 7 F. R. 2985, 3 CFR Cum. Supp., E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR Cum. Supp., E. O. 9567, June 8, 1945, 10 F. R. 6917, 3 CFR, 1945 Supp., E. O. 9725, May 16, 1946, 11 F. R. 5381, 3 CFR, 1946 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981, 3 CFR, 1946 Supp.)

2. Part 501 is hereby amended by adding § 501.17 as set out below.

§ 501.17 *Delegation to designated officers of functions and powers under § 501.16 (General Order No. 26)* The functions and powers conferred upon Chiefs of Divisions by § 501.16 (General Order No. 26, 8 F. R. 7628) shall be exercised by the following officers: the Chief, Operations Branch, the Chief, Business Management Section, the Chief, Liquidation Section, the Chief, Real Estate Section, the Manager, New York Office, and the Manager, Hawaii Office. (See § 500.24 of this chapter.)

(40 Stat. 411, 55 Stat. 839, 60 Stat. 50, 60 Stat. 925; 50 U. S. C. App. 1, 50 U. S. C. App., Sup. 5 (b) E. O. 9142, Apr. 21, 1942, 7 F. R. 2985, 3 CFR Cum. Supp., E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR Cum. Supp., E. O. 9567, June 8, 1945, 10 F. R. 6917, 3 CFR, 1945 Supp., E. O. 9725, May 16, 1946, 11 F. R. 5381, 3 CFR, 1946 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981, 3 CFR, 1946 Supp.)

3. Part 503 is hereby amended by striking out "an appointment of agents and delegates" in the heading of § 503.5, and by the deletion of paragraph (b) thereof. (See § 500.31 of this chapter.)

(40 Stat. 411, 55 Stat. 839, 60 Stat. 50, 60 Stat. 925; 50 U. S. C. App. 1, 50 U. S. C. App., Sup. 5 (b), E. O. 9142, Apr. 21, 1942, 7 F. R. 2985, 3 CFR Cum. Supp., E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR Cum. Supp., E. O. 9567, June 8, 1945, 10 F. R. 6917, 3 CFR, 1945 Supp., E. O. 9725, May 16, 1946, 11 F. R. 5381, 3 CFR, 1946 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981, 3 CFR, 1946 Supp.)

Executed at Washington, D. C., this 8th day of October 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-9202; Filed, Oct. 10, 1947; 8:47 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 270—GENERAL RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940

CUSTODY OF INVESTMENTS BY REGISTERED MANAGEMENT INVESTMENT COMPANY; BONDING OF OFFICERS AND EMPLOYEES OF REGISTERED MANAGEMENT INVESTMENT COMPANIES

The Securities and Exchange Commission has heretofore duly published in the FEDERAL REGISTER notice of proposals to revise § 270.17f-2 (Rule N-17F-2) and to adopt a new § 270.17g-1 (Rule N-17G-1) under the Investment Company Act of 1940. After due consideration of all the relevant matters presented in regard to the proposals the Commission has determined that the proposed action is necessary and appropriate in the public interest and for the protection of investors and necessary to carry out the provisions of the act. Accordingly, the Commission acting pursuant to authority conferred upon it by the above mentioned act particularly sections 17 (f) 17 (g) and 38 (a) thereof, hereby amends Rule N-17F-2 and adopts Rule N-17G-1, both to read as hereinafter set forth.

Section 270.17f-2 (Rule N-17F-2) specifies the conditions under which registered management investment companies may maintain their securities and similar investments in their own custody. The purpose of the revision is a general clarification of the rule. The revision specifically makes clear that such investments deposited with a bank or other company under any arrangement which permits the withdrawal of such investments by directors, officers, or employees upon their mere receipt are deemed to be in the custody of the registered company.

The purpose of the new § 270.17g-1 (Rule N-17G-1) is to implement the provisions of section 17 (g) of the act regarding the bonding of officers and employees of registered management investment companies who have access to the securities or funds of the company. The rule permits the management to determine initially the amount of any bond required but reserves to the Commission an opportunity after appropriate notice and opportunity for hearing to fix a minimum reasonable amount, including the type, form and coverage, of any such bond.

§ 270.17f-2 *Custody of investments by registered management investment company.* (a) The securities and similar investments of a registered management investment company may be maintained in the custody of such company only in accordance with the provisions of this section. Investments maintained by such a company with a bank or other company whose functions and physical facilities are supervised by Federal or State authority under any arrangement whereunder the directors, officers, employees or agents of such company are authorized or permitted to withdraw

such investments upon their mere receipt, are deemed to be in the custody of such company and may be so maintained only upon compliance with the provisions of this section.

(b) Except as provided in paragraph (c) of this section, all such securities and similar investments shall be deposited in the safekeeping of, or in a vault or other depository maintained by, a bank or other company whose functions and physical facilities are supervised by Federal or State authority. Investments so deposited shall be physically segregated at all times from those of any other person and shall be withdrawn only in connection with, transactions of the character described in paragraph (c) of this section.

(c) The first sentence of paragraph (b) of this section shall not apply to securities on loan which are collateralized to the extent of their full market value, or to securities hypothecated, pledged, or placed in escrow for the account of such investment company in connection with a loan or other transaction authorized by specific resolution of its board of directors, or to securities in transit in connection with the sale, exchange, redemption, maturity or conversion, the exercise of warrants or rights, assents to changes in terms of the securities, or other transactions necessary or appropriate in the ordinary course of business relating to the management of securities.

(d) Except as otherwise provided by law, no person shall be authorized or permitted to have access to the securities and similar investments deposited in accordance with paragraph (b) of this section except pursuant to a resolution of the board of directors of such investment company. Each such resolution shall designate not more than five persons who shall be either officers or responsible employees of such company and shall provide that access to such investments shall be had only by two or more such persons jointly, at least one of whom shall be an officer; except that access to such investments shall be permitted (1) to properly authorized officers and employees of the bank or other company in whose safekeeping the investments are placed and (2) for the purpose of paragraph (f) of this section to the independent public accountant jointly with any two persons so designated or with such officer or employee of such bank or such other company. Such investments shall at all times be subject to inspection by the Commission through its authorized employees or agents accompanied, unless otherwise directed by order of the Commission, by one or more of the persons designated pursuant to this paragraph.

(e) Each person when depositing such securities or similar investments in or withdrawing them from the depository or when ordering their withdrawal and delivery from the safekeeping of the bank or other company, shall sign a notation in respect of such deposit, withdrawal or order which shall show (1) the date and time of the deposit, withdrawal or order, (2) the title and amount of the securities or other investments deposited, withdrawn or ordered to be withdrawn, and an identification thereof by certificate

numbers or otherwise, (3) the manner of acquisition of the securities or similar investments deposited or the purpose for which they have been withdrawn, or ordered to be withdrawn, and (4) if withdrawn and delivered to another person the name of such person. Such notation shall be transmitted promptly to an officer or director of the investment company designated by its board of directors who shall not be a person designated for the purpose of paragraph (d) of this section. Such notation shall be on serially numbered forms and shall be preserved for at least one year.

(f) Such securities and similar investments shall be verified by complete examination by an independent public accountant retained by the investment company at least three times during each fiscal year, at least two of which shall be chosen by such accountant without prior notice to such company. A certificate of such accountant, stating that he has made an examination of such securities and investments and describing the nature and extent of the examination shall be transmitted to the Commission by the accountant promptly after each such examination.¹

§ 270.17g-1 *Bonding of officers and employees of registered management investment companies.* (a) Each registered management investment company shall provide and maintain a bond issued by a reputable fidelity insurance company, authorized to do business in the place where the bond is issued, against larceny and embezzlement, covering each officer and employee of the investment company, who may singly, or jointly with others, have access to securities or funds of the company, either directly or through authority to draw upon such funds or to direct generally the disposition of such securities. Such bond may be in the form of an individual bond for each such person or a schedule or blanket bond covering all such persons.

(b) Each such bond shall be in such reasonable amount as a majority of the board of directors of the investment company who are not such officers and employees thereof shall determine with due consideration to the value of the aggregate assets of such company to which any such officer or employee may have access. Notwithstanding any such determination the Commission may in any case, by order after appropriate notice and opportunity for hearing, prescribe minimum reasonable amounts, including the type, form and coverage, of a bond or bonds for each such officer and employee or each class of such officers and employees.

(c) A copy of the resolution of the board of directors of the investment company determining the amount, type, form and coverage of each such bond and a copy of the bond shall be filed with the Commission within ten days after the execution of each bond together with a statement by an officer

¹An opinion of the Commission's Chief Accountant dealing with the nature and scope of the examination required by this section and Rule N-17F-1 is set forth in IC Release No. 279 (Accounting Series 21127).

of the company as to the period for which the premiums for such bond have been paid. Each company shall notify the Commission immediately upon cancellation or termination of each such bond unless contemporaneously with or prior to such cancellation or termination a new bond or bonds have been provided and are effective.

(Secs. 17 (f) 17 (g) 54 Stat. 816, 38 (a) 54 Stat. 841, 15 U. S. C. 80a-17, 80a-37)

The foregoing action shall become effective November 3, 1947.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

OCTOBER 2, 1947.

[F. R. Doc. 47-9157; Filed, Oct. 10, 1947;
8:49 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 51762]

PART 6—AIR COMMERCE REGULATIONS

C. A. A. FIELD, JUNEAU, ALASKA, AND SKY HARBOR SEAPLANE BASE, DULUTH, MINN., DESIGNATED AS AIRPORTS OF ENTRY FOR ONE YEAR.

OCTOBER 3, 1947.

The C. A. A. Field, Juneau, Alaska, and the Sky Harbor Seaplane Base, Duluth, Minnesota, are hereby designated as airports of entry for civil aircraft and for merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (49 U. S. C. 179 (b)) for a period of 1 year from November 1, 1947.

The list of temporary airports of entry in § 6.13, Customs Regulations of 1943 (19 CFR, Cum. Supp., 6.13) as amended, is hereby further amended by inserting therein the locations and names of these airports, date designated, and the period "1 year."

Notice of the proposed designation of the C. A. A. Field, Juneau, Alaska, as an airport of entry was published in the FEDERAL REGISTER on August 21, 1947 (12 F. R. 5616) and notice of the proposed designation of the Sky Harbor Seaplane Base, Duluth, Minnesota, as an airport of entry was published in the FEDERAL REGISTER on August 28, 1947 (12 F. R. 5781) pursuant to the provisions of section 4 of the Administrative Procedure Act (Public Law 404, 79th Congress)

The designations of these airports are based on a determination that a sufficient need exists to justify such designations and the designations are made for the purpose of providing for convenient compliance with customs requirements.

(Sec. 7 (b) 44 Stat. 572, sec. 611, 58 Stat. 714, 49 U.S.C. and Sup., 177 (b))

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 47-9174; Filed, Oct. 10, 1947;
8:48 a. m.]

[T. D. 51763]

PART 6—AIR COMMERCE REGULATIONS

MALONE-DUFORT AIRPORT, MALONE, N. Y., AND CHALKS FLYING SERVICE SEAPLANE BASE, MIAMI, FLA., REDESIGNATED AS AIRPORTS OF ENTRY FOR ONE YEAR

OCTOBER 3, 1947.

The following-named airports are hereby redesignated as airports of entry for civil aircraft and for merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (49 U. S. C. 179 (b)) for a period of 1 year from the dates shown opposite their names:

Name, Location, and Date of Redesignation

Malone-DuFort Airport, Malone, N. Y., September 10, 1947.

Chalks Flying Service Seaplane Base, Miami, Fla., September 17, 1947.

The list of temporary airports of entry in § 6.13, Customs Regulations of 1943 (19 CFR, Cum. Supp., 6.13) as amended, is hereby further amended by changing the dates of the designations opposite the names of those airports as indicated herein.

Notice of the proposed redesignations of these airports as airports of entry was published in the FEDERAL REGISTER on August 27, 1947 (12 F. R. 5760) pursuant to the provisions of section 4 of the Administrative Procedure Act (Public Law 404, 79th Congress) The redesignations shall be effective on the dates indicated above, the delayed effective date requirements of section 4 (c) of the Administrative Procedure Act being dispensed with because of the expiration of the previous designations prior to the expiration of 30 days after the publication hereof. The redesignations of these airports are based on a determination that a sufficient need exists to justify such redesignations and the redesignations are for the purpose of providing for convenient compliance with customs requirements.

(Sec. 7 (b) 44 Stat. 572, sec. 611, 58 Stat. 714; 49 U. S. C. and Sup., 177 (b))

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 47-9173; Filed, Oct. 10, 1947;
8:48 a. m.]

[T. D. 51764]

PART 6—AIR COMMERCE REGULATIONS

FELTS FIELD, SPOKANE, WASH., REDESIGNATED AS AN AIRPORT OF ENTRY FOR ONE YEAR

OCTOBER 3, 1947.

Felts Field, Spokane, Washington, is hereby redesignated as an airport of entry for civil aircraft and for merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (49 U. S. C. 179 (b)) for a period of 1 year from October 1, 1947.

The list of temporary airports of entry in § 6.13, Customs Regulations of 1943 (19 CFR, Cum. Supp., 6.13) as amended,

is hereby further amended by changing the date of designation opposite the name of this airport to "October 1, 1947."

Notice of the proposed redesignation of this airport as an airport of entry was published in the FEDERAL REGISTER on August 27, 1947 (12 F. R. 5760), pursuant to the provisions of section 4 of the Administrative Procedure Act (Public Law 404, 79th Congress) The redesignation shall be effective on October 1, 1947, the delayed effective date requirements of section 4 (c) of the Administrative Procedure Act being dispensed with because of the expiration of the previous designation prior to the expiration of 30 days after the publication of this redesignation. The redesignation of this airport is based on a determination that a sufficient need exists to justify such redesignation and the redesignation is for the purpose of providing for convenient compliance with customs requirements.

(Sec. 7 (b) 44 Stat. 572, sec. 611, 58 Stat. 714; 49 U. S. C. and Sup., 177 (b))

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 47-9175; Filed, Oct. 10, 1947;
8:48 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Construction Limitation Reg., as Amended
Aug. 29, 1947, Amdt. 1]

PART 812 — CONSTRUCTION LIMITATION REGULATION UNDER HOUSING AND RENT ACT OF 1947

Section 812.1 *Construction for recreational and amusement purposes*, paragraph (j) *Disaster*, is amended in the following respect:

After paragraph (j) (2) add a new paragraph (j) (3) to read as follows:

(3) *Hurricane reconstruction in Alabama, Florida, Louisiana and Mississippi.* Until further notice, it is not necessary to get a construction permit under this section (Construction Limitation Regulation) to do a restoration job on any building or other structure covered by this section in the states of Alabama, Florida, Louisiana or Mississippi where the restoration is made necessary by damage caused by the hurricane or tornado which commenced on September 17, 1947. This is limited to the restoration of buildings or other structures to substantially the same size and condition as existed immediately preceding the hurricane or tornado.

(Pub. Law 129, 80th Cong.)

Issued this 10th day of October 1947.

OFFICE OF THE HOUSING
EXPEDITER,
By JAMES V SARCONI,
Authorized Officer

[F. R. Doc. 47-9239; Filed, Oct. 10, 1947;
10:45 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 2—ADJUDICATION: VETERANS CLAIMS (APPENDIX)

PROCUREMENT OF AUTOMOBILES AND OTHER CONVEYANCES FOR DISABLED VETERANS

The following changes are made in Veterans Administration document, "Procurement of Automobiles and Other Conveyances for Disabled Veterans," 11 F. R. 9933:

CROSS REFERENCES: Part 4—Adjudication: Veterans Claims, Central Office Section (Appendix); Part 17—Finance (Appendix).

APPLICATION

1. No change in paragraphs (a) (b) (c) (d) (e) and (f)
2. A new paragraph (g) is added to read as follows:

(g) *Revisions of forms.* On the VA Form 4502 Aug. or Oct. 1946, page 1, section II, item 2, "The veteran's claim must be completed by June 30, 1947," the date "June 30, 1947," will be overprinted and the date "June 30, 1948," inserted by typewriter or rubber stamp. A similar overprint and insertion (June 30, 1948) will be made on VA Form 4502 Aug. 1946, page 2; and on VA Form 4502, Oct. 1946, page 3, under Information 3. a.

PROCESSING APPLICATION BY REGIONAL OFFICE

3. Paragraph (g) is redesignated (h) without change.
4. Paragraph (h) is redesignated (i) and a new subparagraph (4) is added as follows:

(i) *Adjudication Division.* * * *
(4) The executed sections II and III of the VA Form 4502 may be signed by the Adjudication Officer or the Chief, Claims Division, or by their designates.

5. Paragraph (i) is redesignated (j)
6. Paragraph (j) is redesignated (k) and subparagraph (4) is amended as follows:

(k) *Finance Division.* * * *
(4) *Receipt and invoice.* VA Form 4502 contains instructions which require that the veteran and the seller complete section V "Receipt," upon the delivery of the conveyance and also instructions to the dealer to execute an invoice in duplicate and submit both copies to the Finance Office. The veteran will also execute a "Receipt," identical to the one in section V of VA Form 4502, on both copies of the seller's invoice. As soon as the original of VA Form 4502 with section V completed, the completed invoice in duplicate, and a copy of the Sales Agreement are received, the Finance Officer will withdraw the copy of the sales agreement from the temporary file and, after satisfying himself by comparison that VA Form 4502, the sales agreement, and the invoices are in order, he will note this fact on both copies of VA Form 4502. The duplicate copy of VA Form 4502 will then be returned to the Administrative Division where it will be placed in the "C" file. The Regional Office Finance Officer will attach the invoice to VA Form 1009

(Public Voucher for Purchases and Services Other than Personal Benefits to Veterans) and process the voucher thus supported for payment from the appropriation 367/80139, Automobiles and Other Conveyances for Disabled Veterans, Veterans' Administration, 1947-8, by the appropriate disbursing officer, in accordance with prescribed procedure. Finance will transcribe on the duplicate VA Form 4502 the information appearing in sections IVa and IVb and V and attach original of VA Form 4502 to memorandum copy of the voucher.

7. Paragraph (i) is redesignated (j) and amended to read as follows:

(j) *Budget allotment.* Funds required for obligation under the Appropriation "Automobiles and other Conveyances for Disabled Veterans, Veterans' Administration 1947-48," should be requested from the budget officer quarterly. Requests should be kept to the minimum amount required. Obligations should be reported monthly on VA Form 4-6620-B, "Monthly Report of Status of Funds," Reports Control Symbol 4B-24, and on VA Form 4-1334, "Summary Report on Status of Funds," Reports Control Symbol 4B-22.

(Pub. Law 161, 80th Cong., Pub. Law 261, 80th Cong.)

[SEAL] OMAR N. BRADLEY,
General, U. S. Army,
Administrator of Veterans' Affairs.

AUGUST 28, 1947.

[F. R. Doc. 47-9177; Filed, Oct. 10, 1947;
8:46 a. m.]

PART 36—REGULATIONS UNDER SERVICE- MEN'S READJUSTMENT ACT OF 1944

CORRESPONDENCE OR HOME STUDY COURSES

Section 36.257 is amended to read as follows:

§ 36.257 *Entrance into training.* (a) No change.

(b) An eligible veteran who elects to take a course of training by correspondence only may not be enrolled prior to the effective date of the contract between the institution and the Veterans' Administration covering the specific course, or the date the veteran files his formal or informal application for a Certificate of Eligibility and Entitlement, whichever is the later.

(Sec. 1, 57 Stat. 42, sec. 400 (a), 58 Stat. 287; 38 U. S. C. Sup., 701)

[SEAL] OMAR N. BRADLEY,
General, U. S. Army,
Administrator of Veterans' Affairs.

SEPTEMBER 5, 1947.

[F. R. Doc. 47-9180; Filed, Oct. 10, 1947;
8:47 a. m.]

PART 36—REGULATIONS UNDER SERVICE- MEN'S READJUSTMENT ACT OF 1944

INSTITUTIONAL ON-FARM TRAINING FOR VETERANS

Section 36.272 (d) (6) and (7) canceled August 28, 1947.

§ 36.278 *Purpose.* The purpose of Public Law 377, 80th Congress, is to pro-

vide a basis for the highest quality of training which may be given to a veteran who elects to pursue a course of institutional on-farm training; to prevent abuses of the institutional on-farm training program; to pay full subsistence allowance to the trainee when he is pursuing full time institutional on-farm training; and to authorize the Administrator of Veterans' Affairs to contract with approved institutions for such courses where the Administrator finds that the agreed cost is reasonable and fair.

§ 36.279 *Law.* The provisions of Public Law 377 require that:

(a) The Administrator shall secure from the appropriate agency of each State a list of training institutions which are qualified and equipped to furnish institutional on-farm training.

(b) Institutional on-farm training shall include any course of instruction approved by the appropriate agency of the State or the Administrator, subject however to the specific provisions of the act.

(c) Institutional on-farm training shall be considered a full time course when it combines (1) organized group instruction in agricultural and related subjects of at least two hundred hours per year (and of at least eight hours each month) at an educational or training institution, with (2) supervised work experience on a farm or other agricultural establishment.

(d) To be approved, the institutional on-farm training course shall be developed with due consideration to the size and character of the farm on which the veteran is to receive his supervised work experience and to the need of the veteran, in the type of farming for which he is training, for proficiency in planning, producing, marketing, farm mechanics, conservation of resources, food conservation, farm financing, farm management, and the keeping of farm and home accounts. The institutional on-farm training course shall, in addition, satisfy the requirements of either of the following:

(1) If the veteran performs part of his course on a farm under his own control:

(i) He shall receive not less than one hundred hours of individual instruction per year, not less than fifty hours of which shall be on such farm (with at least two visits by the instructor to such farm each month). Such individual instruction shall be given by the instructor responsible for the veteran's institutional instruction and shall include instruction and home-study assignments in the preparation of budgets, inventories, and statements showing the production, use on the farm, and sale of crops, livestock, and livestock products.

(ii) He shall be assured of control of such farm (whether by ownership, lease, management agreement, or other tenure arrangement) until the completion of his course.

(iii) And such farm shall be of a size and character which:

(a) Together with the group instruction part of the course, will occupy the full time of the veteran.

(b) Will permit instruction in all aspects of the management of a farm of the type for which the veteran is being trained.

(c) And if the veteran intends to continue operating such farm at the close of his course, will assure him a satisfactory income under normal conditions.

(2) If the veteran performs part of his course as the employee of another:

(i) He shall receive, on his employer's farm, not less than fifty hours of individual instruction per year (with at least one visit by the instructor to such farm each month). Such individual instruction shall be given by the instructor responsible for the veteran's institutional instruction.

(ii) His employer's farm shall be of a size and character which:

(a) Together with the group instruction part of the course, will occupy the full time of the veteran.

(b) Will permit instruction in all aspects of the management of a farm of the type for which the veteran is being trained.

(iii) His employer shall agree to instruct him in various aspects of farm management in accordance with the training schedule developed for the veteran by his instructor, working in cooperation with his employer.

(e) Where it has been found that a variation in the proportion of hours of group instruction and individual instruction on the farm will better serve the conditions in a certain area, any program acceptable to the State approving agency which meets the total number of training hours called for in this act (including assembled instruction, individual instruction, and assigned and supervised related home study and supervision in operational skills by the farmer trainer under the direction of the institution) shall be recognized as complying with the requirements of this amendment. Under this provision, a training program approved by the State approving agency as equivalent to the requirements of this act for group and individual instruction and which meets the total number of training hours called for in this act must include a suitable proportion of assembled instruction, individual instruction, assigned and supervised related home study, and in the case of the employed veteran supervision in operational skills by the farmer trainer under the direction of the institution.

(f) The Administrator of Veterans' Affairs is authorized to contract with approved institutions for such courses where the Administrator finds that the agreed cost is reasonable and fair.

(g) If it is found by the Administrator of Veterans' Affairs or the State approving agency that any approved course of institutional on-farm training has ceased to meet the requirements of this act, the Veterans' Administration shall cut off all benefits under this part as of the date of such withdrawal of approval.

§ 36.280 *Policy.* (a) The appropriate agent of the State shall determine whether an educational or training institution is qualified to furnish institutional on-farm training and whether the courses which such institutions furnish

are in accordance with the standards prescribed in Public Law 377. Authority given the Administrator to approve institutions initially will be exercised only under extraordinary circumstances.

(b) A list of the training institutions approved by the appropriate agency of the State together with the courses of instruction approved by the appropriate agency of the State will be transmitted by such agency to the manager of each regional office of the Veterans' Administration in the State. An appropriate certified statement that institutions and courses approved prior to September 1, 1947, comply with Public Law 377 will be acceptable.

(c) The State approving agency shall be responsible for assuring that all courses for institutional on-farm training which have been approved continue to meet the requirements of Public Law 377 and when the agency finds that such courses do not meet the requirements of such law it will notify the Veterans' Administration immediately in order that subsistence allowance and tuition payments for any veteran pursuing such course may be discontinued effective as of the date of such finding by the State approving agency. Where it is found by a Veterans' Administration manager that the State approving agency fails to discontinue a course which does not meet the requirements of Public Law 377, the manager shall take immediate action to discontinue subsistence allowance and tuition payments in the case of any veteran pursuing such a course.

(d) The term "farm or other agricultural establishment" shall mean those places where the farm is operated for the purpose of raising and harvesting fruits and vegetables and crops and/or the breeding and management of poultry and livestock. Training which is given on farms as herewith defined shall be classified as institutional on-farm training and such training shall conform to the provisions of Public Law 377.

Institutional on-farm training will not apply to training in those establishments which are engaged exclusively in either the processing, distribution, or sale of agricultural products, or combination thereof, such as dairy processing plants, grain elevators, packing plants, hatcheries, stockyards, florist shops. These must qualify under Public Law 679.

(e) The approved institution which is offering the approved course of institutional on-farm training in accordance with the provisions of Public Law 377 shall permit only those veterans to enter such courses where it finds and reports to the Veterans Administration:

In the case of the veteran who performs part of his course on a farm under his own control:

(1) That the farm is properly equipped.

(2) The size and quality of the farm is such that it will be a satisfactory facility for his training and productive enough to insure the trainee an income sufficient under normal conditions for reasonable living at least by the end of the training program.

(3) The course meets the particular needs of the individual veteran in the type of farming for which he is training,

for proficiency in planning, producing, marketing, farm mechanics, conservation of resources, food conservation, farm financing, farm management, and the keeping of farm and home accounts.

(4) And that the veteran is assured control of such farm at least until the completion of his course.

In the case of the veteran who performs part of his course as the employee of another:

(i) That the farm is properly equipped.

(ii) That the farm is of a size and character which will occupy the full time of the veteran and permit instruction in all aspects of the management of a farm of the type for which the veteran is being trained.

(iii) The course meets the particular needs of the individual veteran in the type of farming for which he is training, for proficiency in planning, producing, marketing, farm mechanics, conservation of resources, food conservation, farm financing, farm management, and the keeping of farm and home accounts.

(iv) And that his employer has agreed to instruct him in various aspects of farm management in accordance with the training schedule developed for the veteran by his instructor working in cooperation with his employer.

(f) No course of institutional on-farm training will be approved for a veteran who is already qualified by training and experience for the course objective.

(g) The duration of an approved course shall be as long as, but no longer than, necessary to attain the objective of the course outlined to meet the particular needs of the individual veteran. (The two year limitation of Public Law 679 does not apply to training under this program.)

(h) A course of institutional on-farm training shall provide for continuous training for the duration of the course and shall be pursued on a full time basis as defined by Public Law 377.

(i) The approved institution offering the approved course of institutional on-farm training shall be responsible for supervising the veteran while in training and evaluating his accomplishments and for determining and notifying the Veterans' Administration immediately when the veteran-trainee's conduct or progress is not satisfactory, such as to raise a question as to the desirability of his continuance as a trainee or when the veteran ceases to be in attendance.

(j) A veteran who has applied for a course of institutional on-farm training shall not be permitted to begin his course for the purpose of receiving subsistence allowance or the payment of tuition until his individual course which meets his needs has been outlined and approved by the approved school; nor will the veteran be permitted to enter a class which has already been organized and the course of instruction has begun unless the approved institution is satisfied that the veteran will be able to complete the approved course, and not impede the progress of other trainees, in the time allotted to such class.

(k) No more than one veteran will be permitted to take a course of institutional on-farm training on one farm ex-

cept in the case where the veteran performs part of his course as the employee of another. Where it is proposed to train more than one veteran on a farm under an employer-trainer or where the employer-trainer is a near relative, the institution should exercise extreme care to determine that a bona fide training situation will exist for the individual veteran.

(1) A veteran who pursues a course of institutional on-farm training shall be entitled to that leave which the approved institution grants to other students but not in excess of thirty days provided such leave does not interfere with the progress of the trainee. No attendance reports need be made to the regional office.

§ 36.281 *Application.* A veteran desiring to elect a course of institutional on-farm training shall fill out VA Form 7-1921, "Application for Course of Institutional On-farm Training," and transmit such application to that institution which has been designated by the appropriate agency of the State responsible for offering institutional on-farm training courses in his locality. Upon receipt of this application this institution will determine the course of training which the veteran needs and the type of farming for which he needs training after giving due consideration to the size and character of his farm. The institution will indicate its approval on this form and transmit it through channels designated by the State approval agency to the proper regional office of the Veterans' Administration. Upon the receipt of this form by the Veterans' Administration, it will determine whether the veteran meets the eligibility requirements of Public Law 346, as amended, and if the veteran is eligible, the Veterans' Administration will notify the institution through the channels designated by the State approval agency of the beginning date of his subsistence allowance and the period of his entitlement. The effective date of his entrance into training will be that date on the application certified to by the approved institution as the beginning date of his course. If the veteran fails to begin the approved course of training, the institution will report this fact to the regional office of the Veterans' Administration through the channels designated by the State approval agency in order that subsistence allowance may not be paid to the veteran.

§ 36.282 *Contracts*—(a) *Contracts required.* Payments for institutional on-farm training provided to Part VIII veterans after September 1, 1947, will be made only in accordance with the terms of contracts negotiated between the Veterans' Administration and educational institutions which provide such instruction in accordance with the provisions of Public Law 377, 80th Congress. Contracts will be negotiated as soon as possible, and in no event later than January 1, 1948. Such contracts will be effective as of September 1, 1947. During the period September 1, 1947, to the date the contract is negotiated interim payments will be made at rates being charged by educational institutions for

institutional on-farm training as of September 1, 1947: *Provided*, That if such rates are determined not to be fair and reasonable, adjustments will be made on subsequent vouchers for the difference between the amounts paid subsequent to September 1, 1947, and the amounts determined to be fair and reasonable as of that date. All vouchers submitted for services rendered subsequent to September 1, 1947, and prior to the determination of an agreed contract rate will have written or stamped clearly on the face thereof by the payee the statement "Interim payment pending determination of fair and reasonable rate to be fixed by contract." Contracts will be prepared on VA Form 7-1903b and will provide for rates to be paid for institutional on-farm training which have been determined by the regional office to be fair and reasonable in accordance with the criteria set forth below. Contracts now in existence with institutions approved to provide institutional on-farm training for Part VIII trainees where such training courses conform to the criteria set forth in Public Law 377, and the rates are determined to be fair and reasonable, need not be cancelled or supplemented and may be permitted to remain in full force until the expiration date of such contracts. Where contracts for Part VIII institutional on-farm training are currently in effect and such training does not meet the criteria established in Public Law 377, or rates are not deemed by the Veterans' Administration fair and reasonable, such contracts must be supplemented as of September 1, 1947.

(b) *Basis for payment.* Contracts will provide for payment for institutional on-farm training at rates determined to be fair and reasonable in accordance with the criteria set forth below. Contracts will provide for payment of a fixed monthly rate per student to include the cost of instruction in the classroom, individual instruction on the farm, and supervision.

(c) *Fair and reasonable compensation.* In making the determination of fair and reasonable compensation the regional office will require the educational institution to submit certified detailed financial statements. This financial statement is exempt from a reports control symbol. Such financial statements shall cover a period of not less than three months nor more than one calendar year and shall show, for the period under review, the most recent actual cost experience of the institution for the institutional on-farm courses. In the case of new courses for which no actual cost experience is available or cost data is incomplete, estimated cost may be submitted. Such financial statements shall include:

(1) The number of students (veteran and nonveteran) enrolled in the institutional on-farm courses during the period covered by the cost data and the number of student months of instruction provided during such period. (Student months of instruction will be derived by adding the number of students enrolled at the beginning of each month for the total number of months covered by the cost data.)

(2) A statement of the total income received or due from the Veterans' Administration as payment for veterans enrolled in the institutional on-farm program during the period covered by the cost data; a separate statement of income received or due from other sources for the course, during the same period, such as tuition from non-veterans and transfers from State funds.

(3) The basis on which teaching salaries and other expenses have been allocated for the courses involved.

(4) Cost data on the following items of expense, which, within the limits designated, will be used for the determination of fair and reasonable compensation.

(i) *Instructors.* Actual cost of instructors at salary rates not in excess of those paid by the institution, or by other similar institutions in that area, for teachers with comparable duties and responsibilities. The cost shown for instructors will be supported by a schedule listing the name, title, and annual salary rate, and will show whether employment is full or part time for each person included in such cost and the proportion of time spent by each on this program. In determining fair and reasonable compensation the ratio of full time instructors, or equivalent thereof, charged to these courses should generally average not more than one instructor to eighteen or twenty students. Classes ordinarily should not exceed twenty-five students. Payments for classes of less than twelve will be made only in unusual circumstances such as in sparsely populated areas or where the program is just being started or ended and full explanation for such small classes shall be made.

(ii) *Travel expense for instructors.* Such expense will be limited to mileage for use of personal cars at a rate not to exceed the established mileage rate customarily paid by the institution or provided by State law or regulation but not more than seven cents per mile. Mileage will be limited to travel actually required to be performed by the itinerant instructor in connection with the training program.

(iii) *Consumable classroom instructional supplies.* This item will include the cost of instructional supplies and teaching aids which are actually consumed during the process of instruction and which are required for all students.

(iv) *Textbooks.* This item will include required textbooks, farm account books, etc., where such items are customarily furnished to all students at no additional charge to the student and the cost thereof is included in the monthly tuition rate. If separate charges are customarily made by the institution to all students for text and other books, no cost will be shown for this item but provision will be made in the contract to pay for such required text and other books at prices customarily charged to other students.

(v) *Building operation and maintenance, depreciation and rent.* Cost of the pro rata portion of depreciation on instructional equipment, heat, light, power, water, janitor service, building maintenance, rent of non-publicly owned

facilities, and insurance for classroom and laboratory space which may be allocated to these courses on the basis of the time the classrooms are used for these courses in relation to the full time use of such classrooms and laboratories. A sum not in excess of \$1.25 per student per month is acceptable as a fair and reasonable charge for this item without detailed calculation.

(vi) *Administrative allowance.* Five percent administrative allowance on the cost of the foregoing items to cover the cost of supervisory, administrative, and clerical personnel and the cost of consumable office supplies and other expenses for administrative offices including related expenses of the State agency responsible for conducting these courses. This allowance is for all supervision and administration, and provision should be made if possible for division of the amount between the institution and the State agency.

(d) *Exclusion of salaries paid from Federal funds.* In computing fair and reasonable compensation there shall be excluded from the costs all salaries paid from matching State-Federal appropriations such as the Smith-Hughes and George-Deen appropriations, and the certification of the appropriate official of the institution on the cost data must include a statement that no part of the salaries or other expenses which were or are to be paid from such funds is included.

(e) *Review of contract rates.* Contracts for institutional on-farm training shall be executed for a period not to exceed twelve months. In negotiating contracts to be effective September 1, 1947, and in subsequent negotiation for the renewal of such contracts consideration will be given to any surpluses (deficits) accumulated as a result of the payment of the agreed rates in excess (deficiency) of the amount spent on the program by the institution and the agreed rate for the succeeding contract period will be adjusted accordingly.

§ 36.283 *Subsistence allowance.* When a veteran having entitlement under the law elects to pursue a course of institutional on-farm training, and such course has been approved by the appropriate agency of the State, and the Veterans' Administration is notified that he has commenced training in such course, the Veterans' Administration will pay full subsistence allowance if the training institution certifies that the veteran is pursuing a full time course in accordance with the standards laid down in Public Law 377, subject to the limitations contained in Public Law 679 providing that compensation for productive labor plus subsistence allowance shall in no case exceed \$175 a month for a veteran without a dependent or \$200 for a veteran with a dependent or dependents.

(a) *Compensation for productive labor.* Compensation for productive labor for a veteran who performs part of his course on a farm under his own control will be derived from the farm accounting record system kept as a part of the course of instruction and shall be determined on a calendar year basis as follows:

- | | |
|---|--------|
| (1) Cash receipts..... | \$---- |
| (From sale of crops, livestock and livestock products.) | |
| (2) Increase in inventory..... | \$---- |
| (3) Value of family living furnished by the farm..... | \$---- |
| (Food, fuel and shelter.) | |
| (4) Total farm income..... | \$---- |
| (Add items 1, 2 and 3.) | |
| (5) Cash farm operating expenses..... | \$---- |
| (6) Decrease in inventory..... | \$---- |
| (7) Value of family labor used in farm production..... | \$---- |
| (Excluding veteran's own labor.) | |
| (8) Total farm expenses..... | \$---- |
| (Add items 5, 6 and 7.) | |
| (9) Net farm income..... | \$---- |
| (Item 4 minus item 8.) | |
| (10) Interest on capital investments..... | \$---- |
| (11) Veteran's income from productive labor..... | \$---- |
| (Item 9 minus item 10.) | |

The amount shown under item 11 as "Income from productive labor" will be the amount reported by the veteran and certified by the instructor as representing the veteran's compensation for productive labor. In the case of the veteran who performs part of his course as the employee of another compensation for productive labor reported to the Veterans' Administration shall include all wages paid by the farmer-trainer whether in cash or kind including allowances for food, fuel and shelter for the use of the trainee and his family as determined by the veteran, the farmer-trainer, and the instructor.

(b) *Veterans now in courses.* For those veterans who, on September 1, 1947, are enrolled in and pursuing a course certified by the approving agency or the approved institution as complying in all respects with the provisions of Public Law 377, as provided in § 36.285 of this instruction, the rate of subsistence allowance being paid monthly, in accordance with the pro rated amount of annual compensation for productive labor as defined in paragraph (a) of this section will be continued until March 31, 1948, unless training is interrupted or terminated at an earlier date. When the report of the actual compensation from productive labor for calendar year 1947 is received, adjustment will be made for calendar year 1947 in accordance with paragraph (d) of this section.

(c) *New cases.* At the time a veteran begins his course of institutional on-farm training, the anticipated compensation for productive labor for one calendar year will be developed by the veteran (the farmer-trainer) and the instructor, and approved and certified by the institution and forwarded through channels as designated by the State approval agency, to the regional office of the Veterans' Administration. Where the veteran performs part of his course on a farm under his own control, the estimate will represent the veteran's and the instructor's judgment as to the income that may be expected from productive labor on the particular farm during a calendar year in accordance with the instructions in paragraph (a) of this section. Subsistence allowance not to exceed \$65 or \$90 will be authorized at a rate which, when added to the monthly pro rata amount of

compensation for productive labor, will not exceed \$175 or \$200 a month, whichever is applicable. The authorization of subsistence allowance will show an ending date as of March 31 of the succeeding year.

(d) *Subsequent adjustments.* On or before March 1 of each year thereafter a report will be rendered on VA Form 7-1922, "Report of Income—Institutional On-farm Training," showing the compensation received for productive labor for the preceding calendar year and the anticipated income for the succeeding calendar year as derived from the records in the veteran's farm and home accounts and certified to by the veteran and the institution as being to the best of their knowledge and belief a correct statement in support of the veteran's claim for subsistence allowance. If the total amount of subsistence payments and compensation for productive labor for the period covered by the report exceeds the statutory limit pro rated over such period, the excess rate shall be recovered by pro rata reduction of the payment rate established for the succeeding period based upon estimated income which estimate should not be less than the actual income for the preceding period. If the established rate was less than the amount authorized by statute, the deficiency will be adjusted by a single payment award. At the end of the course a report will be made of income received since the latest prior report and a single adjustment will be made accordingly. Any overpayment must be repaid. Reports at four-months intervals will not be required. Subject to available eligibility the course may be completed without subsistence allowance notwithstanding the income equals or exceeds the statutory limit. VA Form 7-1922, "Report of Income—Institutional On-farm Training," is exempt from a reports control symbol.

(e) *Caution.* Veteran-trainees must understand that the willful making of a false statement as to a material fact in a claim for this benefit is a criminal offense and may result in forfeiture of these and other benefits.

§ 36.284 *Books, supplies, equipment.* The farm on which a veteran receives that part of his course of institutional on-farm training must be equipped with the necessary supplies and equipment which will permit the trainee, even though he is in control of the farm, to pursue successfully institutional on-farm training. Therefore, under no circumstances shall the Veterans' Administration pay for any equipment or supplies which a person may require in order to operate the farm. The Veterans' Administration will pay for only those books and incidental supplies required for the veteran to pursue that part of his course in organized group institution. Such books and supplies will be limited to those required to be owned personally by all students in such course. Farm equipment or tools will not be furnished since it is considered that these are articles which a farm must have in order to meet the provisions of Public Law 377.

§ 36.285 *Review.* (a) All veterans who are now pursuing institutional on-

farm training courses under Public Law 346 will be required to fill out VA Form 7-1921 in accordance with the procedure outlined in § 36.281 in order to determine whether such courses which are now being pursued are in accordance with the provisions of Public Law 377, or this may be done by blanket certification by the approving agency or approved institution for all cases which on September 1, 1947, conform to the provisions of Public Law 377.

(b) In those States having or instituting approved institutional on-farm training courses all courses in on-the-job farm training must be reviewed by the appropriate agency of the State in order to determine that such courses are in accordance with the provisions of Public Law 377 and certification made by the approved institution that such courses have been approved by the appropriate agency of the State as meeting the provisions of Public Law 377. If, in any individual case, such course cannot be made to comply with the requirements of Public Law 377, it may nevertheless be pursued to completion under the provisions of Public Law 679; but in no event will new enrollment in such States be made in farm training except in accord with the provisions of Public Law 377 and these regulations. The review required in this subparagraph and certification to the Veterans' Administration must be accomplished as soon after September 1, 1947, as is possible but in no event later than January 1, 1948.

(c) In reviewing the cases of veterans now pursuing courses of institutional on-farm training or on-the-job farm training the provisions of § 36.280 (d) will be applied.

(Pub. Law 377, 80th Cong.)

[SEAL] OMAR N. BRADLEY,
General, U. S. Army,
Administrator of Veterans' Affairs.

AUGUST 28, 1947.

[F. R. Doc. 47-9179; Filed, Oct. 10, 1947;
8:46 a. m.]

PART 36—REGULATIONS UNDER SERVICE- MEN'S READJUSTMENT ACT OF 1944

SUBSISTENCE ALLOWANCE PROVISIONS

Section 36.272 (f) (2) (ii) is amended to read as follows:

§ 36.272 *Payment of subsistence allowance authorized by the Servicemen's Readjustment Act, as amended by Public Law 679, 79th Congress, August 8, 1946.*

No change in paragraphs (a) (b) (c) (d) and (e)

No change in paragraphs (f) (1) and (f) (2) (i)

(ii) In cases of veterans pursuing courses in schools, colleges, and universities, authorizations for payment of subsistence allowance at a rate determined in accordance with the foregoing will have beginning and ending dates as determined from the period of enrollment as certified by the institution.

(a) Effective September 1, 1947, in the case of veterans pursuing full-time train-

ing in institutions of higher learning (universities, colleges, professional or technological schools, teachers colleges and normal schools, and junior colleges which offer instruction on the basis of standard units of credit recognized by national or regional accrediting associations) the rate of payment of subsistence allowance will be authorized for the period of enrollment and will remain unchanged for such period in the absence of any subsequent evidence justifying an amendment to the rate. No further report of earnings will be required, except as to changes therein.

(b) For veterans pursuing part-time courses in institutions of higher learning or full or part-time courses in schools other than institutions of higher learning as defined above operating on a term or semester basis, the report will be required at intervals of not greater than once a term or semester showing compensation from productive labor.

(c) For veterans enrolled in full or part-time courses in all other institutions not on a term or semester basis, periodic reports will be required at four-month intervals.

(d) For all cases which must be reviewed either at four-month intervals or once each term or semester, an appropriate diary file will be set up and maintained in accordance with Veterans' Administration Vocational Rehabilitation and Education procedure.

(e) Cases reviewed at four-month intervals will be reviewed in accordance with the following schedule:

(1) All cases in which the C-number ends in 0 or 1 will be reviewed in January, May, and September; ending in 2 or 3, will be reviewed in February, June, and October; ending in 4, 5 or 6, will be reviewed in March, July, and November; ending in 7, 8 or 9, in the months of April, August, and December.

(f) For veterans enrolled in institution-on-farm training authorizations of subsistence allowance will be made in accordance with the provisions of §§ 36.278 to 36.285.

(60 Stat. 934)

[SEAL] OMAR N. BRADLEY,
General, U. S. Army,
Administrator of Veterans' Affairs.

AUGUST 29, 1947.

[F. R. Doc. 47-9178; Filed, Oct. 10, 1947;
8:40 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

Subchapter B—Personnel

PART 21—COMMISSIONED OFFICERS

MISCELLANEOUS AMENDMENTS

CROSS REFERENCE: In §§ 21.1-21.322, inclusive, the numbers to the right of the decimal point correspond to the numbers to the right of the decimal point in Part 2 of Executive Order 9655, November 14, 1945. Part 2 of that Executive order has been amended by Executive Order 9397 appearing under Title 3 of this issue, *supra*. Part 21 of this chapter is ac-

cordingly changed in the following respects:

1. Amended: §§ 21.12, 21.31 (b) 21.51-21.56, 21.71, 21.117, 21.142, 21.171 (b) and (c) 21.172, 21.178, 21.182 (b) (1) (c) and (d) (1).
2. Revoked: §§ 21.57, 21.81, 21.144.
3. Redesignated: § 21.53 (as 21.57)
4. Added: §§ 21.53, 21.73.

For the text of the sections affected see the corresponding sections in Executive Order 9397, Title 3, *supra*.

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Manage- ment, Department of the Interior

PART 162—LIST OF ORDERS CREATING AND MODIFYING GRAZING DISTRICTS

NEW MEXICO GRAZING DISTRICTS NOS. 4 AND 5; WYOMING GRAZING DISTRICT NO. 1

CROSS REFERENCE: For orders affecting the tabulation contained in § 162.1, see Federal Register Document 47-9145, abolishing New Mexico Grazing District No. 5 and modifying New Mexico Grazing District No. 4, and Federal Register Document 47-9150, modifying Wyoming Grazing District No. 1, both under Department of the Interior in the Notices section, *infra*.

Chapter II—Bureau of Reclamation, Department of the Interior

PART 402—ANNUAL WATER CHARGES

CENTRAL VALLEY PROJECT, CALIFORNIA, AND ORLAND IRRIGATION PROJECT, CALIFORNIA

CROSS REFERENCE: For additions to the tabulation in § 402.2, see F. R. Docs. 47-9147, 47-9148 and 47-9149, Department of the Interior, Bureau of Reclamation, in Notices section, *infra*.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS

PROTECTIVE SERVICE; PERISHABLE FREIGHT

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 23d day of September A. D. 1947.

The matter of the order of July 13, 1937, effective July 1, 1937, prescribing operating revenue account 117 (§ 10.117 *Protective service; perishable freight*), and subsequent orders which successively postponed the effective date to January 1, 1948, being under consideration and good cause appearing therefor; It is ordered, that:

1. *Effective date.* The effective date shall be changed to January 1, 1949, but in all other respects the said order of July 13, 1937, shall remain in full force and effect.

2. *Notice.* A copy of this order further postponing the effective date shall be served upon every steam railroad subject to the Interstate Commerce Act and upon every trustee, receiver, executor, administrator, or assignee of any such steam railroad, and that notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL] W P. BARTEL,
Secretary.

[F. R. Doc. 47-9168; Filed, Oct. 10, 1947;
8:50 a. m.]

PART 14—ELECTRIC RAILWAYS: UNIFORM SYSTEM OF ACCOUNTS

PROTECTIVE SERVICE REVENUE; PERISHABLE FREIGHT

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 23d day of September A. D. 1947.

The matter of the order of July 13, 1937, effective July 1, 1937, prescribing operating revenue account 108½, (§ 14.108½ *Protective service revenue; perishable freight*) subsequent orders which successively postponed the effective date to January 1, 1948, being under consideration and good cause appearing therefor; it is ordered, that:

1. *Effective date.* The effective date shall be changed to January 1, 1949, but in all other respects the said order of July 13, 1937, shall remain in full force and effect.

2. *Notice.* A copy of this order further postponing the effective date shall be served upon every carrier by railroad independently operated as an electric line subject to the Interstate Commerce Act and upon every trustee, receiver, executor, administrator, or assignee of any such carrier, and that notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL] W P. BARTEL,
Secretary.

[F. R. Doc. 47-9167; Filed, Oct. 10, 1947;
8:50 a. m.]

PART 24—UNIFORM SYSTEM OF ACCOUNTS FOR PERSONS FURNISHING CARS OR PROTECTIVE SERVICES AGAINST HEAT OR COLD EFFECTIVE DATE

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 23d day of September A. D. 1947.

The matter of the "Uniform System of Accounts for Persons Furnishing Cars or Protective Services Against Heat or Cold,

Issue of 1947," prescribed by order dated May 7, 1946, as amended by order dated October 16, 1946, being under consideration and good cause appearing therefor; it is ordered, that:

1. *Effective date.* The effective date of the said uniform system of accounts shall be changed from January 1, 1948, to January 1, 1949, but in all other respects the said order of May 7, 1946, shall remain in full force and effect;

2. *Notice.* A copy of this order postponing the effective date shall be served upon all persons which furnish cars or protective service against heat or cold to or on behalf of any carrier by railroad or express company, and notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL] W P. BARTEL,
Secretary.

[F. R. Doc. 47-9169; Filed, Oct. 10, 1947;
8:51 a. m.]

Chapter II—Office of Defense Transportation

PART 500—CONSERVATION OF RAIL EQUIPMENT

SHIPMENTS OF BERMUDA OR SPANISH TYPE ONIONS AND FRESH HARVESTED IRISH POTATOES

CROSS REFERENCE: For exceptions to the provisions of § 500.72 see Part 520, *infra*.

[General Permit ODT 18A, Rev. 28B]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

SHIPMENTS OF BERMUDA OR SPANISH TYPE ONIONS

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, Executive Order 9729, and General Order ODT 18A, Revised, as amended, it is hereby ordered, that:

§ 520.528 *Shipments of Bermuda or Spanish type onions.* Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised, as amended (11 F. R. 8229, 8829, 10616, 13320, 14172; 12 F. R. 1034, 2386) or Item 400 of Special Direction ODT 18A-2A, as amended (9 F. R. 118, 4247, 13008; 10 F. R. 2523, 3470, 14906; 11 F. R. 1358, 13793, 14114) any person may offer for transportation and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight consisting of Bermuda or Spanish type onions when the origin point is in the States of California, Colorado, Idaho, Nevada, Oregon, Utah, or Washington, and such carload freight is loaded to a weight not less than 30,000 pounds.

This General Permit ODT 18A, Revised-28B, shall become effective October 11, 1947, and shall expire January 31, 1948.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, 61 Stat. 34, Pub. Law 188, 80th Cong., 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641)

Issued at Washington, D. C., this 9th day of October 1947.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 47-9229; Filed, Oct. 10, 1947;
9:45 a. m.]

[General Permit ODT 18A, Rev. 31B]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

SHIPMENTS OF NEW FRESH HARVESTED IRISH POTATOES

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, Executive Order 9729, and General Order ODT 18A, Revised, as amended, General Permit ODT 18A, Revised-31A shall be superseded, and it is hereby ordered, that:

§ 520.531 *Shipments of new fresh harvested Irish potatoes.* Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised, as amended (11 F. R. 8229, 8829, 10616, 13320, 14172; 12 F. R. 1034, 2386), or Items 470 or 475 of Special Direction ODT 18A-2A, as amended (9 F. R. 118, 4247, 13008; 10 F. R. 2523, 3470, 14906; 11 F. R. 1358, 13793, 14114), any person may offer for transportation and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight consisting of new fresh harvested Irish potatoes when the origin point is in the State of California, and such carload freight is loaded to a weight not less than 40,000 pounds.

This General Permit ODT 18A, Revised-31B, shall become effective October 11, 1947, and shall expire November 30, 1947.

General Permit ODT 18A, Revised-31A (12 F. R. 3942) is hereby revoked as of the effective date of this General Permit ODT 18A, Revised-31B.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, 61 Stat. 34, Pub. Law 188, 80th Cong., 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641)

Issued at Washington, D. C., this 9th day of October 1947.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 47-9228; Filed, Oct. 10, 1947;
9:45 a. m.]

TITLE 50—WILDLIFE**Chapter I—Fish and Wildlife Service;
Department of the Interior****Subchapter C—National Wildlife Refuge;
Individual Regulations****PART 26—EAST CENTRAL REGION NATIONAL
WILDLIFE REFUGES****HUNTING IN SENEY NATIONAL WILDLIFE
REFUGE, MICHIGAN**

Under authority of section 84 of the act of March 4, 1909 (35 Stat. 1104; 18 U. S. C. 145) as amended, and § 12.9 of the General Regulations for the Administration of National Wildlife Refuges (5 F. R. 5284) as amended, the following is ordered:

1. The first paragraph of § 26.825a is revised to read as follows:

§ 26.825a *Seney National Wildlife Refuge, Michigan; hunting of deer.* Deer, bear and coyotes may be taken during the open season prescribed by the Michigan Conservation Department for the hunting of deer on all of the lands of the Seney National Wildlife Refuge, Michigan except that part of the refuge bounded as follows:

2. Section 26.825b is rescinded.
3. Section 26.825c is rescinded.

(Sec. 84, 35 Stat. 1104 as amended; 18 U. S. C. 145)

Dated: October 2, 1947.

O. H. JOHNSON,
Acting Director.

[F. R. Doc. 47-9162; Filed, Oct. 10, 1947;
8:47 a. m.]

**PART 27—SOUTHEASTERN REGIONAL
NATIONAL WILDLIFE REFUGE****FISHING IN PIEDMONT NATIONAL WILDLIFE
REFUGE, GEORGIA**

In F. R. Doc. 47-8077 appearing on page 5852 of the issue for August 30, 1947 change "§ 27.732" wherever it appears to "§ 27.732a"

Dated: October 1, 1947.

O. H. JOHNSON,
Acting Director

[F. R. Doc. 47-9146; Filed, Oct. 10, 1947;
8:46 a. m.]

PROPOSED RULE MAKING**ATOMIC ENERGY COMMISSION****[11 CFR, Ch. 1]****FACILITIES FOR THE PRODUCTION OF
FISSIONABLE MATERIAL****NOTICE OF PROPOSED RULE MAKING**

Pursuant to the Atomic Energy Act of 1946 (Public Law 535, 79th Congress; 60 Stat. 755-ff) and to section 4 (a) of the Administrative Procedure Act of 1946 (Public Law 404, 79th Congress) notice is hereby given of intention to formulate a regulation requiring a license from the

Atomic Energy Commission for the export of "facilities for the production of fissionable material" as defined in the Atomic Energy Act of 1946. This regulation will require Commission approval, in the form of a license, for the export of certain equipment such as high vacuum equipment, radiation detection equipment, mass spectrometers, and particle accelerators.

Interested persons are hereby given an opportunity to participate in formulation of the proposed regulation by submitting their views and other relevant informa-

tion in writing to the Atomic Energy Commission, 1901 Constitution Avenue NW., Washington 25, D. C., within ten (10) days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

Dated at Washington, D. C. this 8th day of October 1947.

By order of the Commission.

CARROLL L. WILSON,
General Manager.

[F. R. Doc. 47-9176; Filed, Oct. 10, 1947;
8:46 a. m.]

NOTICES**DEPARTMENT OF THE INTERIOR****Bureau of Land Management**

[2108938]

ALASKA**AMENDMENT OF NOTICE OF FILING PLAT OF
SURVEY ISSUED AUGUST 15, 1947**

OCTOBER 6, 1947.

That part of section thirty, T. 15 N., R. 1 W., Seward Meridian, Alaska, east of the Anchorage-Palmer Highway is not subject to Public Land Order No. 95 of March 12, 1943. The first word of final sentence of notice of filing of plat issued August 15, 1947, is hereby amended to read "Part" instead of "All"

FRED W. JOHNSON,
Director.

[F. R. Doc. 47-9144; Filed, Oct. 10, 1947;
8:48 a. m.]

Office of the Secretary**NEW MEXICO****GRAZING DISTRICT NO. 5 ABOLISHED AND
GRAZING DISTRICT NO. 4 MODIFIED**

Under and pursuant to the provisions of the Taylor Grazing Act of June 28,

1934 (48 Stat. 1269) as amended June 26, 1936 (49 Stat. 1976, 43 U. S. C., sec. 315 et seq.), and subject to the limitations and conditions therein contained, New Mexico Grazing District No. 5 is hereby abolished and the lands embraced therein are hereby added to New Mexico Grazing District No. 4.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

OCTOBER 7, 1947.

[F. R. Doc. 47-9145; Filed, Oct. 10, 1947;
8:48 a. m.]

Bureau of Reclamation

[No. 1]

CENTRAL VALLEY PROJECT, CALIFORNIA**PUBLIC NOTICE OF ANNUAL WATER RENTAL
CHARGES**

JULY 1947.

1. *Water rental.* Irrigation water will be furnished, when available, upon a rental basis during the irrigation season of 1948 (January 1, 1948, to December 31, 1948, inclusive), to the irrigable lands in

the San Joaquin River area of the Central Valley Project.

2. *Charges and terms of payment.* The water rental charge shall be \$1.50 per acre-foot of water for all classes of use such as grassland, wild fowl, percolation, or crop water. The water rental charge for surplus operational spill water, if and when available as determined by the District Manager, shall be \$9.10 per acre-foot. The purchase of surplus operational spill shall in no wise affect the obligation of the water user to pay for crop, grassland, wild fowl, or percolation water contracted for. All charges shall be payable by the water user to the United States in advance of the delivery of water.

3. *Delivery of water.* The United States will release from storage, divert, or otherwise allow to flow to an agreed point or points of delivery sufficient water as available to cover the requirements of the water user.

4. Applications for water may be made by the landowner or by anyone who presents evidence satisfactory to the District Manager that he is the tenant or lessee of the land for which water is requested or that he has been authorized

NOTICES

by the owner or district to make a water application for such land.

5. Applications for water service and the payments required will be received on or after December 1, 1947, at the office of the District Manager, Merced, California.

(Act of June 17, 1902, 32 Stat. 388, as amended or supplemented)

R. S. CALLAND,
Acting Regional Director

[F. R. Doc. 47-9149; Filed, Oct. 10, 1947;
8:46 a. m.]

[No. 35]

ORLAND IRRIGATION PROJECT, CALIF.

PUBLIC NOTICE OF ANNUAL WATER RENTAL CHARGES

SEPTEMBER 10, 1947.

1. Announcement is hereby made that, pending the cancellation of water rights on lands now delinquent in the payment of charges due the United States and the transfer of said water rights to other lands in private ownership that can be served from the constructed canal system, or minor extensions, on the Orland Project, California, water will be furnished during the irrigation season of 1948 and thereafter until further notice, upon approved applications for temporary water service for the irrigation of such other lands, upon a water rental basis, at the following rates and terms.

2. *Charges and terms of payment.* The minimum water rental charge for the lands to be irrigated under the provisions of this public notice shall be \$3.60 per irrigable acre, which charge will permit the delivery of not to exceed 3 acre-feet of water per irrigable acre per annum. Additional water, if available, will be furnished at the following rates:

	<i>Per acre-foot</i>
First acre-foot per acre.....	\$0.50
Second acre-foot per acre.....	.50
Third acre-foot per acre.....	.75
Fourth and additional acre-feet per acre.....	1.00

The minimum charge will be payable at the time that application for temporary water service is executed and no water will be delivered until the minimum charge has been paid in full. Charge for additional water at the rates above specified must be paid in advance of the delivery of additional water and no advance payments shall be accepted in sums of less than \$10.00.

3. *Application for and payment of service.* Applications for water service and the payments required by this notice will be received at the office of the Bureau of Reclamation, Orland, California. (Act of June 17, 1902, 32 Stat. 388, as amended or supplemented)

R. S. CALLAND,
Acting Regional Director.

[F. R. Doc. 47-9148; Filed, Oct. 10, 1947;
8:46 a. m.]

[No. 34]

ORLAND IRRIGATION PROJECT, CALIFORNIA

PUBLIC NOTICE OF ANNUAL OPERATION AND MAINTENANCE CHARGES

SEPTEMBER 10, 1947.

1. *Operation and maintenance charges.* The minimum annual operation and maintenance charge for the irrigation season of 1948 and thereafter until further notice for all lands of the Orland Project, California, under public notice shall be \$3.60 per irrigable acre, whether water is used or not, which charge will permit the delivery of not to exceed 3 acre-feet of water per irrigable acre per annum. Additional water, up to the amount of the surplus natural flow water or operational spill from Stony Gorge Dam used prior to the time it becomes necessary to draw upon the storage supply, will be furnished at the rate of \$0.10 per acre-foot. Further additional water, if available, will be furnished during the irrigation season at the following rates:

	<i>Per acre-foot</i>
First acre-foot per acre.....	\$0.50
Second acre-foot per acre.....	.50
Third acre-foot per acre.....	.75
Fourth and additional acre-feet per acre.....	1.00

2. *Time of payment.* The minimum charge for the next irrigation season, together with charges for additional water used during the previous irrigation season, shall be payable on or before December 31 of each year.

3. *Penalties.* If payment of the charges, or any part thereof, is not made on or before the due date, there shall be added on the following day a penalty of one-half of one percent of the amount unpaid, and a like penalty of one-half of one percent of the amount unpaid on the first day of each calendar month thereafter so long as such default shall continue. No water shall be delivered until all charges and penalties have been paid in full.

4. *Place of payment.* All payments should be made to the Bureau of Reclamation, Orland, California.

(Act of June 17, 1902, 32 Stat. 388, as amended or supplemented)

R. S. CALLAND,
Acting Regional Director.

[F. R. Doc. 47-9147; Filed, Oct. 10, 1947;
8:46 a. m.]

SHOSHONE PROJECT, WYOMING

FIRST FORM RECLAMATION WITHDRAWAL

AUGUST 22, 1947.

The SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the act of June 28, 1934 (48 Stat. 1269) as amended, it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal, as provided by section 3 of the act of June 17, 1902 (32 Stat. 388), and that Departmental Order of March 23, 1935, establishing Wyoming Grazing District No. 1

be modified and made subject to the withdrawal effected by this order.

SHOSHONE PROJECT

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 52 N., R. 97 W.,
Sec. 22, NE $\frac{1}{4}$,
Sec. 27, Lot 3.

The above areas aggregate 161.04 acres.

Respectfully,

MICHAEL W. STRAUS,
Commissioner

I concur: September 15, 1947.

FRED W. JOHNSON,
Director,
Bureau of Land Management.

The foregoing recommendation is hereby approved, as recommended, and the Director of the Bureau of Land Management will cause the records of his office and the District Land Office to be noted accordingly.

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above order of August 22, 1947, withdrawing certain public lands in the State of Wyoming, for use in connection with the Shoshone Project, Wyoming, may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent and extent. Should any objection be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

MASTIN G. WHITE,
Acting Assistant Secretary
of the Interior

SEPTEMBER 19, 1947.

[F. R. Doc. 47-9150; Filed, Oct. 10, 1947;
8:48 a. m.]

SAN LUIS VALLEY PROJECT, COLORADO

FIRST FORM RECLAMATION WITHDRAWAL

SEPTEMBER 2, 1947.

Pursuant to the authority delegated by Departmental Order No. 2238 of August 16, 1946 (43 CFR 4.410), I hereby withdraw the following described lands from public entry, under the first form of withdrawal, as provided by section 3 of the act of June 17, 1902 (32 Stat. 388)

SAN LUIS VALLEY PROJECT

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

T. 43 N., R. 3 W.,
Secs. 24 to 28, inclusive, and 33 to 36, inclusive, all.

T. 39 N., R. 4 W., unsurveyed
Secs. 5 to 9, inclusive, and 13 to 29, inclusive, all.
T. 40 N., R. 4 W.,
Secs. 15, 21, 22, 28, 29, 31, 32 and 33, all.
T. 39 N., R. 5 W., unsurveyed
Secs. 12, 13 and 14, all.

The above areas approximate 28,800 acres.

WESLEY R. NELSON,
Acting Commissioner

I concur. The records of the Bureau of Land Management and of the District Land Office will be noted accordingly.

FRED W. JOHNSON,
Director.

SEPTEMBER 19, 1947.

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above order of September 2, 1947, withdrawing certain public lands in Colorado for use in connection with the San Luis Valley Project, Colorado, may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent and extent. Should any objection be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

WESLEY R. NELSON,
Acting Commissioner
Bureau of Reclamation.

[F. R. Doc. 47-9152; Filed, Oct. 10, 1947;
8:48 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-855]

MEMPHIS NATURAL GAS CO. ET AL

ORDER FIXING DATE OF HEARING

In the matter of Memphis Natural Gas Company, Kentucky Natural Gas Corporation and Texas Gas Transmission Corporation; Docket No. G-855.

Upon consideration of the amended joint application filed on May 28, 1947, as supplemented on June 17, 1947, by Memphis Natural Gas Company (Memphis) a Delaware corporation with its principal place of business at Memphis, Tennessee, Kentucky Natural Gas Corporation (Kentucky Natural) a Delaware corporation with its principal place of business at Owensboro, Kentucky, and Texas Gas Transmission Corporation (Texas Gas), a Delaware corporation with its principal place of business at Owensboro, Kentucky, for a certificate of public convenience and necessity pursuant to section

7 of the Natural Gas Act, as amended, authorizing the acquisition and operation by Texas Gas of the natural gas systems of Memphis and Kentucky Natural upon the merger of Kentucky Natural and Memphis with and into Texas Gas, subject to the jurisdiction of the Commission, as fully described in such application, as supplemented, on file with the Commission and open to public inspection, public notice thereof having been given, including publication in the FEDERAL REGISTER on July 2, 1947 (12 F. R. 4282),

The Commission orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure (effective September 11, 1946) a public hearing be held commencing on October 28, 1947, at 10:00 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the application and other pleadings in this proceeding.

(B) Interested State commissions may participate as provided by Rules 8 and 37 (f) (18 CFR 1.8 and 1.37 (f)) of said rules of practice and procedure.

Date of issuance: October 7, 1947.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-9154; Filed, Oct. 10, 1947;
8:49 a. m.]

[Projects Nos. 1950, 1978]

ELECTRIC POWER CO. OF NEW JERSEY, INC.

NOTICE OF FILING

OCTOBER 6, 1947.

Notice is hereby given of a modification of the application heretofore filed by The Electric Power Company of New Jersey, Inc., ("Applicant"), of Trenton, N. J., for a license under the Federal Power Act for a hydroelectric development (designated in the records of the Commission as Project No. 1950) to be located on Delaware River in Sussex and Warren Counties, New Jersey, Pike, Monroe and Northampton Counties, Pennsylvania, and Orange County, New York.

This project was then to consist of three dams and related hydroelectric generating facilities, the first dam to be located at the Tocks Island site approximately 10.5 miles below the mouth of Bushkill Creek, the second to be located at the Belvidere site approximately one mile above the highway bridge at Belvidere and the third to be located at the Chestnut Hill site 2.43 miles above the highway bridge between Easton and Phillipsburg. In addition to these power facilities the application included a plan for facilities to divert water from the Tocks Island reservoir through an aqueduct to the City of Philadelphia and to

sell the water so diverted to that city for water-supply purposes.

On September 12, 1947, the Applicant filed a supplemental application eliminating from its pending application for license for Project No. 1950 all references to facilities to be used to divert water from the Delaware River for sale to any community for water-supply purposes. The supplemental application, superseding the original proposal, has been docketed on the records of the Commission as Project No. 1978, and the power development now proposed by Applicant should be referred to in the future as Project No. 1978.

Any comments, protests, or requests for hearing in the matter of Project No. 1978 should be submitted before November 17, 1947, to the Federal Power Commission at Washington, D. C. Any comments, protests, or requests for hearing heretofore filed in the matter of Project No. 1950 will not be considered in the matter of Project No. 1978 unless a request is made to the Commission before November 17, 1947, that such comments, protests, or requests for hearing be incorporated by reference in the matter of Project No. 1978.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-9153; Filed, Oct. 10, 1947;
8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 336, Special Permit 304]

RECONSIGNMENT OF ONIONS AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Kansas City, Mo., October 2, 1947, by Cochrane Brokerage Co., of car PFE 97439, onions, now on the Union Pacific to Longview, Texas.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of October 1947.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 47-9170; Filed, Oct. 10, 1947;
8:51 a. m.]

[S. O. 396, Special Permit 305]

RECONSIGNMENT OF ONIONS AT
PHILADELPHIA, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Philadelphia, Pa., October 3, 1947, by I. Meltzer, of car FGE 52391, onions, now on the PRR to Harlem River, New York (NH).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of October 1947.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 47-9171; Filed, Oct. 10, 1947;
8:51 a. m.]

[S. O. 396, Special Permit 306]

RECONSIGNMENT OF TOMATOES AT CHICAGO,
ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Chicago, Ill., October 4, 1947, by J. V. La Mantia, of car PFE 52448, tomatoes, now on the Chicago Produce Terminal to Cincinnati, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of October 1947.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 47-9172; Filed, Oct. 10, 1947;
8:51 a. m.]

SECURITIES AND EXCHANGE
COMMISSION

[File No. 7-1007]

LACLEDE GAS LIGHT CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING
PRIVILEGES, AND OF OPPORTUNITY
FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 6th day of October A. D. 1947.

The Los Angeles Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$4.00 Par Value, of The Laclede Gas Light Company, a security listed and registered on the New York Stock Exchange and St. Louis Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Philadelphia, Pennsylvania.

Notice is hereby given that, upon request of any interested person received prior to November 6, 1947, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Philadelphia, Pennsylvania. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-9160; Filed, Oct. 10, 1947;
8:50 a. m.]

[File No. 7-1008]

NORTHERN PACIFIC RAILWAY CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING
PRIVILEGES, AND OF OPPORTUNITY FOR
HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 7th day of October A. D. 1947.

The Los Angeles Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Capital Stock, \$100 Par Value, of Northern Pacific Railway Company, a security listed and registered on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the ap-

plication to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Philadelphia, Pennsylvania.

Notice is hereby given that, upon request of any interested person received prior to November 7, 1947, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Philadelphia, Pennsylvania. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-9156; Filed, Oct. 10, 1947;
8:49 a. m.]

[File Nos. 54-85, 59-90, 70-1594]

EAST COAST PUBLIC SERVICE CO. ET AL.

MEMORANDUM FINDINGS, OPINION, AND ORDER
RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 3d day of October A. D. 1947.

In the matters of East Coast Public Service Company, Virginia East Coast Utilities, Incorporated, Tidewater Electric Service Company, Floyd W. Woodcock (Applicants), File No. 54-85; East Coast Public Service Company, Virginia East Coast Utilities, Incorporated, Tidewater Electric Service Company (Respondents) File No. 59-90; East Coast Public Service Company, East Coast Electric Company (formerly Virginia East Coast Utilities, Incorporated), File No. 70-1594.

On September 29, 1947 the Commission issued its supplemental findings, opinion and order approving a Plan filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 and an application and declaration with respect to related transactions filed pursuant to other applicable sections of the act by East Coast Public Service Company ("East Coast"), a registered holding company, and East Coast Electric Company (formerly known as Virginia East Coast Utilities, Incorporated, "Virginia Company") a subsidiary company of East Coast.¹

As a step preliminary to the consummation by East Coast of said Plan, Virginia Company proposed to issue 30,000 shares of its \$10 par value common stock and charge its capital surplus account in

¹ East Coast Public Service Company et al., — S. E. C. — (1947), Holding Company Act Release No. —.

the amount of \$300,000. East Coast, the present owner of all the outstanding shares of Virginia Company's common stock (60,000 shares) proposed to acquire said 30,000 additional shares. Virginia Company further proposes to issue and sell 15,000 shares of its common stock to underwriters for resale to the public to provide funds for new construction.

Our order of September 29, 1947 reserved jurisdiction, among other things, over the price, spread and whether competitive conditions have been maintained with respect to the issuance and sale of the 15,000 additional shares of the common stock of Virginia Company.

A further public hearing having been held before this Commission we now make the following findings:

The record shows that after discussions between representatives of Virginia Company and various investment banking firms, an agreement was entered into with Scott, Horner & Mason, Inc. of Lynchburg, Virginia, and Woodcock, McLearn & Company of Philadelphia, Pennsylvania, with respect to the sale of said 15,000 shares of common stock of Virginia Company. The agreement provides that each of the firms will purchase 50% of the stock at a price to the company of \$17.55 per share and that said stock will be offered to the public at a price of \$19.25 per share.

Harold P. Woodcock, a partner of Woodcock, McLearn & Company, is a brother of Floyd W. Woodcock, a director of Virginia Company and President and director of East Coast. The record also shows that Floyd W. and Harold P. Woodcock are substantial stockholders of East Coast.

The income statement of Virginia Company for the 12 months ended June 30, 1947, adjusted to reflect its recapitalization effected on May 26, 1947 and on the basis of 105,000 shares of common stock outstanding, shows earnings per share of \$1.32. The price to the company of \$17.55 per share is equal to 13.3 times such earnings and on the basis of a dividend of \$1.20, which the company assumes it will pay in 1948, the price is equal to 14.6 times the dividend rate. Based on the same premises, the price of \$19.25 per share to the public reflects a times earnings ratio of 14.6 and a times dividend ratio of 16.

Because of the aforesaid connection of one of the principal underwriters, Harold P. Woodcock, with East Coast and its president, we have carefully inquired into the terms and circumstances of the proposed sale. W. C. Gilman, a consulting engineer, who appeared for the company, testified that in his opinion a price of \$17 or more per share was advantageous to the company and that the proposed spread of \$1.70 would be reasonable considering the size of the company and the proposed issue. The record also contains representations by East Coast and its president that discussions were had with 6 or 7 underwriting houses other than the two firms with whom an agreement has been made and that the proposed price was the highest obtainable. Under the circumstances, and particularly considering the amounts involved, we have concluded that no adverse find-

ings are necessary with respect to the proposed sale.

With respect to the Plan of East Coast and Virginia Company, the Commission has been requested to enter an order pursuant to the provisions of the Internal Revenue Code, as amended, including Supplement R thereof. In our supplemental findings and opinion, dated September 29, 1947, we found that the proposed transactions are necessary and appropriate to the simplification of East Coast's holding company system, but jurisdiction was reserved with respect to appropriate recitals and specifications. It now appears appropriate that our order herein contain the necessary recitals and specifications requested.

It is therefore ordered, That the jurisdiction heretofore reserved with respect to the price, spread and whether competitive conditions have been maintained in connection with the sale of 15,000 additional shares of common stock of Virginia Company be, and the same hereby is, released.

It is further ordered, That the jurisdiction heretofore reserved in our Order dated September 29, 1947 with respect to the reasonableness of all fees and expenses in connection with these proceedings and with respect of the Section 11 (b) (2) proceedings be, and hereby is, continued.

It is further ordered and recited, That the following transactions are necessary and appropriate to the integration or simplification of the holding company system of which East Coast and Virginia Company are members, and to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

1. The issue and delivery by Virginia Company to East Coast of 30,000 additional shares of common stock, having a par value of \$10 per share, of Virginia Company.

2. The distribution by East Coast of 90,000 shares of common stock, having a par value of \$10 per share, of Virginia Company to the holders of the 30,000 shares of common stock, having a par value of \$1 each, of East Coast at the rate of three shares of Virginia Company stock for each share of East Coast outstanding.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-9158; Filed, Oct. 10, 1947; 8:50 a. m.]

[File Nos. 54-83, 59-53]

CITIES SERVICE CO. ET AL.

ORDER RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 30th day of September A. D. 1947.

In the matter of Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Central Arkansas Public Service Corporation, Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company, and The

Empire District Electric Company, Respondents, File No. 59-53; Cities Service Power & Light Company, File No. 54-83.

The Commission on March 14, 1944, having approved subject to conditions, a plan filed by Cities Service Power & Light Company;

The Commission having reserved jurisdiction over the disposition of a special fund held by said company, representing the aggregate amount that would be distributable under the plan to certain officers and directors of Cities Service Power & Light Company and Cities Service Company in respect of debentures and shares of preferred stock which were held directly or indirectly by or for any of them on March 13, 1944, and which had been acquired by them since February 24, 1938, less amounts over which the Commission released jurisdiction equal to (a) the cost of debentures and preferred stock held by the officers and directors on March 13, 1944, less (b) the sum of the profit realized by them upon the sale of any debentures and shares of preferred stock acquired after February 24, 1938, plus any amounts received by them on such shares of preferred stock in payment of dividends in arrears at the respective dates of acquisition;

Hearings having been held respecting the disposition of said fund and oral argument and briefs having been presented and reargument heard on that issue; and the Commission having duly considered the matter and issued its findings and opinion herein, on the basis of said findings and opinion:

It is ordered, That jurisdiction over the said fund be and it is hereby released to permit distribution thereof to the persons entitled thereto under the terms of the plan heretofore conditionally approved by the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-9159; Filed, Oct. 10, 1947; 8:50 a. m.]

[File Nos. 54-94, 59-59]

AMERICAN STATES UTILITIES CORP. ET AL.

ORDER GRANTING APPLICATION AND RESERVING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 2d day of October A. D. 1947.

In the matters of American States Utilities Corporation, Edison Sault Electric Company, Southern California Water Company, applicants, File No. 54-94; American States Utilities Corporation, et al., respondents, File No. 59-59.

American States Utilities Corporation, Edison Sault Electric Company and Southern California Water Company having filed with the Commission an application and amendments thereto pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan and amendments thereto to comply with section 11 (b) of the act and with the Commission's order of April 9, 1943, directing that Ameri-

can States Utilities Corporation liquidate and dissolve;

Applicants having requested the Commission in its order to make appropriate recitals for purposes of Supplement R and section 1808 (f) of the Internal Revenue Code, as amended, and having requested the Commission to apply to an appropriate district court of the United States to enforce and carry out the terms and conditions of the said plan, as amended;

Hearings having been held on the application and the amendments, oral argument and reargument having been heard and briefs filed; the Commission having on April 11, 1946 issued its findings and opinion respecting the plan as originally filed and having thus day issued its findings and opinion with respect to the plan as amended; on the basis of such findings and opinion.

It is ordered, That the said application and amendments thereto be and they are hereby granted, and the said plan as amended be and it is hereby approved, and the staff of the Public Utilities Division is authorized on behalf of the Commission to apply to an appropriate district court of the United States for an order enforcing the terms and conditions of said plan as amended, it being provided, however, that this order shall not be operative to authorize consummation of the transactions proposed in the plan as amended until such order shall have been entered by an appropriate court;

It is further ordered, That jurisdiction be and it is hereby reserved over the fees and expenses to be paid in connection with said plan as amended; and

It is further ordered and recited, That the steps and transactions itemized below involved in the consummation of the plan are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 as amended, and are necessary and appropriate to effectuate the integration or simplification of the holding company system, of which American States Utilities Corporation, Edison Sault Electric Company, and Southern California Water Company are members, and hereby authorized and approved:

(1) The declaration and payment by Southern California Water Company of a common stock dividend of 842.8 shares, which have a par value of \$25.00 per share, and the transfer of \$21,070.00 from that portion of earned surplus account, which is restricted as to cash dividends, to capital account.

(2) The declaration and payment by Edison Sault Electric Company of a common stock dividend of 3264.88 shares of a par value of \$25.00 per share and the transfer of \$81,622.00 from that portion of earned surplus account, which is restricted as to cash dividends, to capital account.

(3) The splitting of each share of common stock of Edison Sault Electric Company which now has a par value of \$25.00 per share, into 5 shares of a par value of \$5.00 per share, and the exchange by American States Utilities Corporation of each share of Edison Sault Electric Company of a par value of \$25.00 per share which will be held by American

States Utilities Corporation after the payment of the stock dividend provided for in (2) above, for 5 shares of common stock of Edison Sault Electric Company.

(4) The delivery by American States Utilities Corporation to Baltimore National Bank of Baltimore, Maryland, as exchange agent, transfer agent, dividend disbursing agent and registrar, under the contract provided for in the plan, of the following number of shares of Southern California Water Company and Edison Sault Electric Company, to-wit:

62,774.8 shares of the common stock of Southern California Water Company of a par value of \$25.00 per share, and

188,324.4 shares of the common stock of Edison Sault Electric Company of a par value of \$5.00 per share.

(5) The exchange by the stockholders of American States Utilities Corporation, of 1 share of preferred stock of American States Utilities Corporation for one-third ($\frac{1}{3}$) of a share of the common stock of Southern California Water Company, of a par value of \$25.00 per share, and 1 share of the common stock of Edison Sault Electric Company of a par value of \$5.00 per share; this includes 356.4 shares of preferred stock of American States Utilities Corporation held by Baltimore National Bank for exchange as set out in Exhibit A of the Application for Approval of the Amended Plan filed July 16, 1946.

(6) The exchange by the stockholders of American States Utilities Corporation of 10 shares of common stock of American States Utilities Corporation for 1 share of common stock of Southern California Water Company, of a par value of \$25.00 per share, and 3 shares of the common stock of Edison Sault Electric Company of a par value of \$5.00 per share; this includes 118.53 shares of common stock of American States Utilities Corporation held by Baltimore National Bank for exchange with bondholders of American States Public Service Company and 2875 shares of the common stock of American States Utilities Corporation held by Baltimore National Bank for exchange with debenture holders of American States Public Service Company, as set out in Exhibit A of the Application for Approval of the Amended Plan filed July 16, 1946; this does not include 85,000 shares of the common stock of American States Utilities Corporation issued pursuant to Warrant Agreement set out in said Exhibit A.

(7) The issuance of new shares of the common stock of Edison Sault Electric Company of a par value of \$5.00 per share, in order to effectuate the splitting of each share of the common stock of Edison Sault Electric Company of a par value of \$25.00 a share into 5 shares of said common stock of a par value of \$5.00 per share.

(8) The issuance of new stock certificates representing a total of 62,774.8 shares of the common stock of Southern California Water Company, of a par value of \$25.00 per share, in order to effectuate the exchange of said shares with the preferred and common stockholders of American States Utilities Corporation, in the manner provided for in (5) above. This provides for the issuance to pre-

ferred stockholders of American States Utilities Corporation in exchange for their shares of said preferred stock of 40,666 shares of the common stock of Southern California Water Company of a par value of \$25.00 per share, and the issuance to the common stockholders of American States Utilities Corporation in exchange for their shares of said common stock of 22,108.8 shares of the common stock of Southern California Water Company of a par value of \$25.00 per share.

(9) The issuance of new stock certificates representing a total of 188,324.4 shares of the common stock of Edison Sault Electric Company, of a par value of \$5.00 per share, in order to effectuate the exchange of said shares with the preferred and common stockholders of American States Utilities Corporation, in the manner provided for in (5) above; this provides for the issuance to preferred stockholders of American States Utilities Corporation in exchange for their shares of said preferred stock of 121,998 shares of Edison Sault Electric Company common stock of a par value of \$5.00 per share, and the issuance to the common stockholders of American States Utilities Corporation, in exchange for their shares of said common stock of 66,326.4 shares of Edison Sault Electric Company common stock of a par value of \$5.00 per share.

(10) The cancellation of all shares of common stock of Southern California Water Company in the possession of Baltimore National Bank on and after the cut-off date provided for in the plan and the transfer to capital surplus account of Southern California Water Company as a donation to capital of the capital assets represented by such cancellation of such stock.

(11) The cancellation of all shares of common stock of Edison Sault Electric Company in the possession of Baltimore National Bank on and after the cut-off date provided for in the plan and the transfer to capital surplus account of Edison Sault Electric Company as a donation to capital of the capital assets represented by such cancellation of such stock.

(12) The equal division of such cash as may remain in the possession of Baltimore National Bank on and after the cut-off date provided for in the plan and the donation of such equal sums on the basis of one of said sums to Edison Sault Electric Company and one to Southern California Water Company, the same to be treated as a capital donation to the respective companies.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-9161; Filed, Oct. 10, 1947;
8:50 a. m.]

[File No. 70-1482]

FEDERAL WATER AND GAS CORP. AND SCRANTON-SPRING BROOK WATER SERVICE Co.

AMENDED ORDER GRANTING REQUEST

At a regular session of the Securities and Exchange Commission, held at its

office in the city of Philadelphia, Pa., on the 6th day of October A. D. 1947.

The Commission on April 9, 1947, having permitted to become effective a declaration regarding the sale by Federal Water and Gas Corporation to Scranton-Spring Brook Water Service Company of 975 shares of common stock, par value \$50 per share, of The Winton Water Service Company for a cash consideration of \$75,000, subject, however, to the condition that said sale be consummated within sixty (60) days after said date, and the Commission on June 18, 1947, having granted the request of Federal Water and Gas Corporation and Scranton-Spring Brook Water Service Company for an extension of time of sixty (60) days within which to consummate said sale; Federal Water and Gas Corporation and Scranton-Spring Brook Water Service Company having requested that the time within which to consummate the sale be further extended for a period of ninety (90) days for the reason that the Pennsylvania Public Utility Commission has not handed down its order authorizing Scranton-Spring Brook Water Service Company to purchase from Federal Water and Gas Corporation said 975 shares of common stock; and it appearing to the Commission that it is appropriate to grant said request;

It is hereby ordered, That said request be, and the same hereby is, granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-9155; Filed, Oct. 10, 1947;
8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9785, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 9857]

MARIE KAHL

In re: Stock owned by Marie Kahl. F-28-4910-C-1, F-28-4910-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Marie Kahl, whose last known address is Scheibe, Alsbach, Thuring Wald, Germany, is a resident of Germany and a national of a designated enemy country (Germany).

2. That the property described as follows: Fifty-five (55) shares of no par value common capital stock of The Procter & Gamble Company, Cincinnati 1, Ohio, a corporation organized under the laws of the State of Ohio, evidenced by certificate number C014349, registered in the name of Marie Kahl, together with all declared and unpaid dividends thereon, as evidenced by certain dividend checks in the custody of said The Procter & Gamble Company, and together with said dividend checks,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9136; Filed, Oct. 9, 1947;
8:49 a. m.]

[Vesting Order 9377]

JINKICHI NITAO

In re: Estate of Jinkichi Nitao, deceased. File D-39-9107.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That "Jane" Nitao, first name unknown, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan),

2. That the sum of \$2,539.33 is presently in the possession of Charles G. Johnson, State Treasurer of California and is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been

made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 24, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9139; Filed, Oct. 9, 1947;
8:46 a. m.]

[Vesting Order 9753]

HELLY IHM

In re: Bank account, bonds and stock owned by Helly Ihm. F-28-4930-A-1, F-28-4930-D1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Helly Ihm, whose last known address is Frankfurt A/M Main 17, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows:

a. That certain debt or other obligations owing to Helly Ihm, by Central Hanover Bank & Trust Company, 40 East 42nd Street, New York 17, N. Y., arising out of a Custodian Cash Account, entitled Helly Ihm, and any and all rights to demand, enforce and collect the same,

b. Two (2) International-Great Northern Railroad Company, Series A, 6% 1st Mtge. bonds in bearer form, bearing the numbers M8671 and M8672, presently in the custody of Central Hanover Bank & Trust Company, 40 East 42nd Street, New York 17, N. Y., together with any and all rights thereunder and thereto,

c. Two (2) Prudence-Bonds Corp., 13th Series, 5½% 1st Mtge. bonds, bearing the numbers 13M-5170 and 13M-5171 registered in the name of Helly Ihm, presently in the custody of Central Hanover Bank & Trust Company, 40 East 42nd Street, New York 17, N. Y., together with any and all rights thereunder and thereto,

d. Two (2) Prudence-Bonds Corp. 15th Series, 5½% 1st Mtge. bonds, bearing the numbers 15M-5341 and 15M-5342 registered in the name of Helly Ihm, presently in the custody of Central Hanover Bank & Trust Company, 40 East 42nd Street, New York 17, N. Y., together with any and all rights thereunder and thereto,

e. Two (2) Prudence-Bonds Corp., 16th Series 5½% 1st Mtge. bonds, bearing the numbers 16M-6022 and 16M-6100 registered in the name of Helly Ihm, presently in the custody of Central Hanover Bank & Trust Company, 40 East 42nd Street,

New York 17, N. Y., together with any and all rights thereunder and thereto, and

f. Eighteen (18) shares of No par value Class A common capital stock of Winnipeg Electric Company, Winnipeg, Manitoba, Canada, a corporation organized under the laws of Manitoba, evidenced by a certificate numbered A01710, registered in the name of Rowe & Co., and presently in the custody of Central Hanover Bank & Trust Company, 40 East 42nd Street, New York 17, N. Y., together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 4, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9181; Filed, Oct. 10, 1947;
8:47 a. m.]

[Vesting Order 9838]

HILDEGARD SCHRAMM

In re: Stock owned by Hildegard Schramm. F-28-23460-D-1, F-28-23460-D-2.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hildegard Schramm, whose last known address is Motzstr. 11, 1111 Berlin W 30, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Seven (7) shares of no par value common capital stock of The Ohio Oil

Company, 539 South Main Street, Findlay, Ohio, a corporation organized under the laws of the State of Ohio, evidenced by certificate numbered NYL 84719, registered in the name of Miss Hildegard Schramm, together with all declared and unpaid dividends thereon, and

b. Fifteen (15) shares of \$25.00 par value capital stock of The Texas Company, 135 East 42nd Street, New York 17, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificate numbered O-522143, registered in the name of Miss Hildegard Schramm, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 15, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9183; Filed, Oct. 10, 1947;
8:47 a. m.]

[Vesting Order 9890]

ANNA ROHLEDER ET AL.

In re: Stock owned by Anna Rohleder and debts owing to Anny Schmitz and Franziska W Taubert. F-28-8847-A-1, D-1, F-28-8030-D-1, F-28-5175-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Rohleder, whose last known address is Amorbach, Unterfranken Bavaria, Germany; Anny Schmitz, whose last known address is Germany; and Franziska W. Taubert, whose last known address is Bellealliance Str. 48-T,

Hamburg 19, Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the property described as follows: Thirty (30) shares of \$25 par value 6% first preferred capital stock of Pacific Gas and Electric Company, 245 Market Street, San Francisco 6, California, a corporation organized under the laws of the State of California, evidenced by certificate number F 38654, registered in the name of Anna Rohleder and presently in the custody of J. F. Rohleder, 129 East 13th Street, Hutchinson, Kansas, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Anna Rohleder, the aforesaid national of a designated enemy country (Germany),

3. That the property described as follows: Those certain debts or other obligations owing to Anny Schmitz and Franziska W Taubert by Pacific Gas and Electric Company, 245 Market Street, San Francisco 6, California, in the respective amounts of \$13.15 and \$9.24, as of August 29, 1947, arising out of the sale of certain stock subscription rights issued by said Pacific Gas and Electric Company, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Anny Schmitz and Franziska W Taubert, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 24, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9184; Filed, Oct. 10, 1947;
8:47 a. m.]